UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al., Plaintiffs, v.	5:21-cv-844-XR
GREGORY W. ABBOTT, et al., Defendants. OCA-GREATER HOUSTON, et al., Plaintiffs, v.	1:21-CV-0780-XR
JANE NELSON, et al., Defendants.	

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Dated: May 26, 2023 /s/ Zachary Dolling

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CERTIFICATE OF SERVICE

On May 26, 2023, I filed the foregoing using the CM/ECF system of the Western District of Texas, which will send notification of this filing to counsel of record.

/s/ Zachary Dolling

Exhibit 1

Report on Identification Number Requirements for Mail Balloting under SB 1

La Unión del Pueblo Entero v. Texas

United States District Court for the Western District of Texas

Eitan Hersh Associate Professor Department of Political Science Tufts University Medford, MA

February 28, 2022

I. Abstract

1. In Senate Bill 1 ("SB 1"), Texas imposes new identification verification rules when registered voters choose to cast ballots by mail. As I will demonstrate, more than 1 in 7 Texans can submit a ballot application – as well as a ballot itself – in perfect accordance with the state's instructions under SB 1, and yet Texas election officials must still reject the voters' forms. Officials must reject the voters' forms because Texas's voter registration database does not contain the information necessary for election officials to accurately confirm the identity of millions of Texans who possess proper identification numbers. SB 1 delays and/or prevents citizens from casting ballots who follow the state's instructions and are eligible to vote by mail.

II. Summary of Inquiry

2. For Texas voters who understand the mail ballot instructions and correctly fill out the state's mail ballot forms in accordance with the rules set forth by SB 1, how many of them could have their forms rejected due to the state's inability to confirm the voters' identification numbers? I answer this question by merging personal information contained in Texas's voter registration database with information contained in Texas's Department of Public Safety (DPS) records. Through comparing records of identification numbers, including driver's licenses and other DPS ID Numbers as well as social security numbers, I have found that over 2.6 million Texans can accurately and completely fill out government forms in accordance with SB 1 and with the forms' instructions, and their forms would still be rejected by Texas election officials. Included in this number are hundreds of thousands of senior citizens (65 and older),

- disabled veterans, homebound citizens, and overseas citizens (including some at military addresses), populations that are most likely to make use of mail balloting.
- 3. According to SB 1, a registered voter applying for a mail ballot must now include "the number of the applicant's driver's license, election identification certificate, or personal identification card issued by the Department of Public Safety" ("DPS ID Number"). If a registrant "has not been issued" a DPS ID Number, then he or she must include in his/her mail ballot application "the last four digits of the applicant's social security number" ("SSN4"). When submitting a completed ballot by mail, registrants must again provide a DPS ID Number or, if they do not have a DPS ID Number, their SSN4.
- 4. When Texas election officials receive a mail ballot application, or when they receive a completed mail ballot, the officials must compare the DPS ID Number or SSN4 listed by the registrant with the official records in the voter registration database. The Texas voter registration database, also known as Texas Election Administration Management system ("TEAM"), lists a DPS ID Number and/or an SSN4 for most voters. If the voter does not provide an identification number that is listed on TEAM, "the clerk shall reject the application."
- 5. I have determined three main reasons why correctly filled-out forms that are required by Texas under SB 1 would be rejected by election officials:

¹ Note that election officials do not confirm mail ballot applicants' DPS ID Numbers by looking up those numbers on a DPS database. According to the state's guidelines, election officials are to "check the voter's application for ballot by mail and the carrier envelope to be sure that the number of the voter's driver's license, election identification certificate, or personal identification card issued by the DPS is included *and is associated with the voter's registration record* (my emphasis)." In other words, if a voter has a valid DPS ID but it happens not to be associated with the registration record in TEAM, election officials must reject the voter's mail ballot forms. See: "Early Voting Ballot Board & Signature Verification Committee, Handbook for Election Judges and Clerks 2022," Office of the Texas Secretary of State, page 14.

- a. Reason #1: Millions of Texans have multiple DPS ID Numbers. Many have both a personal identification number and a driver's license number. Some have multiple driver's license numbers. According to SB 1 requirements, voters may list on their mail ballot applications any of their DPS ID Numbers, including expired ones. However, the TEAM voter registration database shows only one DPS ID Number for each voter. If the voter uses a DPS ID Number on his or her mail ballot application but it is not the same number listed in TEAM, SB 1 requires election officials to reject the application.
- b. Reason #2: Hundreds of thousands of Texans are listed in TEAM without a DPS ID Number at all. These voters tend to be older. Almost half are over 65 and may, by law, request an absentee ballot without offering any reason. As I show below, the majority of these individuals do, in fact, have DPS ID Numbers. If they submit a mail ballot application or mail ballot with their DPS ID Number listed, as they are instructed to do by Texas's updated application form, SB 1 requires clerks to reject their materials.
- c. Reason #3: Tens of thousands of Texans are listed in TEAM with SSN4s and DPS ID Numbers that have typographical errors in them. (As Texas is one of only eight states that has not adopted online voter registration, Texas may have more citizens registering to vote using paper forms than is typical elsewhere in the country, which can lead to transcription errors when the information is entered into a computer system.²) When voters who are listed with typographical errors in their ID numbers submit a mail ballot form with their proper SSN4 or DPS ID

² National Conference of State Legislatures, "Online Voter Registration," July 26, 2021, https://www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx.

Number, SB 1 requires election officials to reject these forms on account of inaccurate record-keeping in Texas government records.

- 6. These are not the only reasons that Texas election officials will reject mail ballots and ballot applications as a result of SB 1's identification requirements for absentee balloting. There are other reasons that are beyond the scope of this analysis but could cause additional Texans to have mail ballot forms rejected by state election officials. For instance, applicants might accidentally include a typographical error when writing down their DPS ID Number or their SSN4 on their mail ballot forms. A separate analysis would be required to estimate how many mail ballot forms might be rejected for this reason. Applicants might also have lost, misplaced, or surrendered their license or other DPS ID card and therefore cannot complete the mail application form required by SB 1. A separate analysis would be required to estimate how many forms might be rejected for this reason.³ Setting aside these other possibilities, the three reasons stated above affect over 2.6 million Texans, according to my analysis. These Texans possess an identification number required by SB 1 and can properly fill out mail ballot application forms and, nevertheless, SB 1 will require election officials to reject their forms.
- 7. SB 1 essentially asks 1 in 7 registered voters to be lucky in order to cast a mail ballot without their application or ballot being rejected: the voters must guess correctly which one of several possible identification numbers are listed on TEAM, and they

³ There is a field on the DPS database related to "card status" that could possibly be used to count the number of individuals who have DPS ID Numbers but they do not have access to their ID cards, for instance because they surrendered the cards. If license status information was made available to me, I could provide a supplementary analysis of these records.

must hope that TEAM records do not contain typographical errors on their individual records.

III. Background and Qualifications

- 8. I am a tenured associate professor of political science at Tufts University in Medford, Massachusetts. I joined the faculty at Tufts in July 2017. Prior to that, I was an assistant professor and a resident fellow of the Institution for Social and Policy Studies at Yale University in New Haven, Connecticut. I joined the faculty at Yale in 2011. I received my PhD in government from Harvard University in 2011.
- 9. In addition to my appointment in the Department of Political Science, I currently have two other affiliations. I serve as an Associate Professor of Civic Studies at the Tisch College for Civic Life, also at Tufts University. And, during the 2022 calendar year, I have an affiliation as an Emerson Collective Fellow in the Emerson Collective's Democracy Cohort. Through the Emerson Collective, I am engaging in research on the civic role of business leaders.
- 10. My scholarly research focuses on U.S. elections, on topics such as voter behavior, civic engagement, election administration, and political campaigns. My methodological focus is on using individual-level data such as voter registration records to study politics. Publications that specifically include analysis of individual-level voter registration data include, among others, *Hacking the Electorate* (Cambridge University Press, 2015); "ADGN: An Algorithm for Record Linkage Using Address, Date of Birth, Gender, and Name" (*Statistics and Public Policy*, 2017); "The Primacy of Race in the Geography of Income-Based Voting" (*American Journal of Political Science*, 2016); Validation: What Big Data Reveal about Survey

- Misreporting and the Real Electorate" (*Political Analysis*, 2012); and "The Politics of 130,000 Religious Leaders (*Journal for the Scientific Study of Religion*, 2021).
- 11. I have been deposed as an expert witness five times, in *Judicial Watch v. King, Fish v. Kobach, Stringer v. Pablos, U.S. v. City of Eastpointe*, and *Holmes v. Moore*. The first three of these cases were focused on compliance with the National Voter Registration Act in Indiana, Kansas, and Texas, respectively. *U.S. v. Eastpointe* focused on compliance with the Voting Rights Act. *Holmes v. Moore* was a case in North Carolina state court involving a voter identification law. I have also served as an expert consultant in *Texas v. Holder* and *Veasey v. Perry*, two cases involving a voter identification law in the State of Texas.
- 12. In four of the above cases, my work as an expert required me to develop and implement methods to link individual records between voter registration databases and other databases (namely, driver's license databases). I use a similar methodology in this report. It is also the methodology that is the focus of the peer-reviewed work I published in "ADGN: An Algorithm for Record Linkage Using Address, Date of Birth, Gender, and Name."
- 13. I have filed declarations in other cases in which I was not deposed. These include, among others, *Vote Forward v. DeJoy*, a 2020 case involving the U.S. Post Office and mail voting, as well as *Kelly v. Verizon*, a class action case for which voter registration data was used to evaluate the domicile of class members.
- 14. I have served as an expert both for defendants (e.g. *Judicial Watch v. King, Kelly v. Verizon*) as well as for plaintiffs (e.g. *Fish v. Kobach, U.S. v. City of Eastpointe*).
- 15. I am compensated for my work at a rate of \$350 per hour.

16. A copy of my current CV is attached as Exhibit A to this Report.

IV. Analysis Plan and Summary Statistics

A. Overview

Called Session 2021," August 30, 2021.

- 17. The analysis here requires me to look up registered voters in the Department of Safety's database of ID holders. For each registrant, I seek answers to four simple questions:
 - i. Does the registrant have a DPS ID Number?
 - ii. Does the registrant have more than one DPS ID number?
 - iii. Does the DPS ID Number(s) listed for a voter in the DPS database match the DPS ID Number listed for that voter in the TEAM database?
 - iv. Does the SSN4 listed in the DPS database match the SSN4 listed for that voter in the TEAM database?
- 18. The first of these questions is relevant because some registrants are not listed in TEAM with any DPS ID Number. If these individuals possess a DPS ID number, they are required by SB 1 to list it on their mail ballot application. If these registrants list their DPS ID Number, SB 1 requires election officials to reject their forms as the number is not recorded on the TEAM database.⁴

⁴ The Texas Secretary of State has issued guidance to election officials that if registrants (even those possessing DPS ID Numbers) list their SSN4 when applying for a mail ballot, then their ballots and ballot applications should not be rejected (Texas Secretary of State, "FAQs on Applications for Ballots by Mail (ABBMs)," January 28, 2022, page 8.). However, Texas's handbook (see footnote 1) offers conflicting guidance, which is consistent with the law and with the application form instructions, that registrants with a DPS ID Number must list that number. On the mail application form itself, a registrant is not asked to list their SSN4 if they possess a DPS ID Number. The registrant would have no obvious way of knowing of alternative guidance, as it is inconsistent with SB 1's text and the text of the mail ballot application form. In addition, the state has allocated no funds with the passage of SB 1 to pay for any kind of educational advertisement that indicates the Secretary's interpretation of the law. For the lack of allocation of funds for public education, see: Jerry McGinty, Legislative Budget Board, "Fiscal Note 87th Legislature 2nd"

- 19. The second question is relevant because registrants with more than one DPS ID Number can list one of their Numbers that happens not to be the one recorded in the TEAM database. If registrants list a number but not one listed on the TEAM file, their forms are rejected.
- 20. The third and fourth questions are relevant because typographical errors in the recording of SSN4s and DPS ID Numbers mean that registrants can fill out their correct DPS ID Number or SSN4 but their forms will be rejected because the correct number is not the same as the number listed on the TEAM file.
- 21. While the analysis that follows is simple in principle, it is somewhat complex in the details. The main reason for the complexity is that "looking up" a voter in the DPS database is not as straightforward as it sounds. Suppose, for instance, that I look up each registrant by their social security number. I could do so, and then compare the DPS ID Number for that voter listed in TEAM with the DPS ID Number(s) for that voter listed in the DPS records. I do perform such an analysis. However, the work is not complete. If voters are listed in TEAM with typos in their social security numbers, then they would not match to their DPS record on the basis of the social security number. Similarly, if voters are listed in TEAM with no social security number at all, then they would not match to their DPS record either. Consequently, simply linking the TEAM database and the DPS database on the basis of a social security number does not provide critical information such as the number of people with erroneous social security numbers listed on TEAM. Thus, I need to use additional strategies to look up registrants in the DPS database.

22. Before proceeding with the analysis, I will summarize key features of the two databases upon which this analysis relies: the DPS file of ID holders and the TEAM file of registered voters. Then, I will explain the methodology I use to link the two files together. Finally, I will conduct the analysis and explain the results. In the results, I will be attentive to several subpopulations of interest, including registrants who are aged 65 years or older, registrants with overseas mailing addresses, and registrants whose DPS records suggest they are disabled or homebound.

B. Data Used in Analysis

Department of Public Safety Data

- 23. As transmitted to me, the DPS database of driver's license holders and other ID holders was divided into 10 separate files. According to the file labels, the files were extracted from Texas's DPS system on January 7, 2022. I combined the ten files into one file.
- 24. In total, the DPS file contains 36,227,819 records. In nearly all cases, each row is associated with a unique DPS ID Number. For each of these numbers, the row shows information such as the name, address, and social security number of the associated individual. Many Texans are listed on more than one row with different DPS ID Numbers. This is evidenced by data on nine-digit social security numbers (SSN9) contained in the DPS database. Of the 36.2 million DPS records, 94.98% are listed with an SSN9. The other 5 percent are missing an SSN9. Of those with an SSN9 listed, 24,569,348 (71.40%) have a unique SSN9 within the database. The remaining

⁵ Out of the 36.2 million rows, there are 140 rows that show a duplicate DPS ID Number. All other rows show unique DPS ID Numbers.

- records (9,841,121) represent individuals who are listed with two more or more different DPS ID Numbers to their name.
- 25. From the data provided to me by the state, I cannot determine all the circumstances under which individuals have multiple DPS ID Numbers. Primarily, it appears to be the result of individuals who possess both a driver's license number and a personal identification number. But there are tens of thousands of individuals who have multiple driver's license numbers or multiple personal identification numbers. Texans with multiple DPS ID Numbers may have numbers that are expired as well as ones that are unexpired. However, according to SB 1, a registered voter applying for a mail ballot or submitting a mail ballot may use current or expired DPS ID Numbers.
- 26. The DPS database shows other evidence of individuals possibly possessing multiple DPS ID Numbers in addition to the fact that individuals appear on multiple rows. In about ten percent of rows in the DPS file (specifically, in 3,440,039 rows), there is a field populated with data that is called "AKA DL/ID Number." This field appears to list additional identification numbers associated with a person on the file. However, many of these numbers appear different in format to Texas's DPS ID Numbers, such as that they include letters in addition to numbers. Because I am not certain of the meaning of the AKA DL/ID Number field, I make the conservative assumption that these numbers are not DPS ID Numbers that Texans could use in submitting a mail ballot application or mail ballot.
- 27. Table 1 shows the rate at which key fields in DPS are missing data. As is clear, zero records or at least less than 0.01% of records are missing names, birthdates,

gender (male or female), or zip code. A small number of records are missing a street address number. And, as noted above, 5.02% of DPS records are missing an SSN9.

TABLE 1: Rate of Missing Information in DPS

Missing SSN	5.02%
Missing unique SSN9	21.6
Missing First Name	0.00
Missing Last Name	0.00
Missing Birthdate	0.00
Missing M/F Gender	0.00
Missing Street Number	0.04
Missing Zip Code	0.00
TOTAL IN DATABASE	36,227,819

Voter Registration Data

- 28. On January 27, 2022, I received a copy of Texas voter registration records (TEAM). According to the file labels, the files were extracted by Texas on January 24, 2022. Each of 254 counties had records contained in separate files. On each row of each county file, an individual registered voter is listed with personal information (e.g. name, birthdate, address) and information about the person's election participation. On each row, the individual voter is also associated with a Voter Unique Identifier number, or "VUID."
- 29. For individuals who have recently cast ballots, the database extract that was produced by the state shows multiple records per person (one row per election in which each person is recorded as casting a ballot). For individuals who have not recently cast ballots (or not ever cast ballots), the database extract shows one row per person.⁶

⁶ Earlier in January, I received an initial production of the TEAM voter file that only contained records of individuals who had cast ballots in recent elections. It excluded registrants who had not cast ballots in recent elections. The January 24, 2022 production addressed this limitation by including non-voting registrants.

- 30. In order to conduct the analysis in this report, I need to create a version of the TEAM file in which each individual who Texas considers a registered voter is listed once. By doing so, I am able to report on the total number of registrants whose mail ballot forms could be rejected due to SB 1's identification number requirements. Since the version of TEAM transmitted to me has many individuals listed on more than one row, I take the following steps to de-duplicate the database.
- 31. First, for the individuals who have cast a ballot in one or more elections, I preserve the record of their most recent election. I preserve the most recent election because this record is presumed to be most up-to-date. I also preserve records of registrants who are listed as having not cast ballots in recent elections.
- 32. In total, across all 254 counties, this sums to 18,656,786 records. I create a file with fields from TEAM relevant to my analysis, including name, address, birthdate, gender, and identification number fields, plus a few other fields such as whether the individual has a non-US mailing address.
- 33. Of these 18,656,786 records, 822,166 are duplicative on all the fields I retained. That is, the same individual with all the same identifiers is listed on multiple rows within the county TEAM files. I remove these duplicates. This leaves 17,834,620 records.
- 34. I next remove six records that have no VUID listed. My methodology requires the database to have a unique identifier associated with each person. As the VUID identifier is available for all but six records, I utilize it as a unique identifier, which is why I remove the 6 records without a VUID.
- 35. Although VUID is called a "unique identifier", the VUID listed on the TEAM files (even after the de-duplication procedures above) is only unique for 91.06% of

records. Duplicates appear to represent individuals who are listed under different residential addresses or different mailing addresses but are the same person and have a common VUID. As an extreme example, consider the case of one individual who is listed five times on TEAM. In all five records, she has the same VUID, the same birthdate, driver's license number, social security number, and date of registration. In one county, she appears twice but on one of these two records she has a mailing address listed while on the other one she does not. This individual is also listed at three other addresses in three other counties.

- 36. In order to work with a version of the TEAM database in which each registrant is represented once on the file, I remove records that are duplicative on VUID. For instance, in the case of the individual mentioned above whose VUID appears five times, I retain one of her five records. If any of the duplicate records on VUID differ such that one record contains a social security number while another does not, I retain the record that contains a social security number. This de-duplication removes 808,560 additional records, leaving the statewide file with 17,026,054 records. My analysis is based on this database of 17,026,054 records.
- 37. While Texas did not supply me with a file in which each person it considers to be a registered voter is listed once, the state does report statistics about the total number of registrants in its records, both statewide and by county. Are the state's published numbers comparable to the data I am using? According to its report from January 2022 (the month in which I was supplied with a version of the TEAM file), Texas

⁷ I retain the record containing a social security number to enable me to link the TEAM record to the DPS database using the social security number for as many records as possible, per the methodology described below.

- reports 17,119,632 registered voters.⁸ In the records supplied to me, after deduplication, there are 17,026,054.
- 38. While the two files are close in the overall number of records, I checked, county by county, to determine if any counties showed substantially different numbers of registrants between the published numbers and the ones from the database supplied to me. In Figure 1, I count registered voters by county, and compare the number listed on the Secretary's website with the numbers in the file sent to me. In the left panel, I show all 254 counties. In the right panel, I zoom in on the 246 counties in which fewer than 50,000 individuals are registered. Both panels indicate that no county is an outlier. That is, there is no county where the number of registrants according to the Secretary's website differs meaningfully from the number in the data provided to me. The differences between the two are likely attributable to the fact that registration databases are dynamic, with additions and removals occurring frequently. The snapshot of the voter file provided to me is slightly different in the number of records from the snapshot used by Texas in publishing its January 2022 statistics, but the databases appear to be comparable. I have no reason to believe that the differences between versions of the TEAM database would systematically impact the analysis that follows or bear on any of the conclusions I draw.

⁸ Texas Secretary of State, "January 2022 Voter Registration Figures," https://www.sos.state.tx.us/elections/historical/jan2022.shtml.

FIGURE 1: Comparisons of Counts of Registered Voters by County in TEAM data supplied to me (after de-duplication procedures) with TEAM data published by Texas

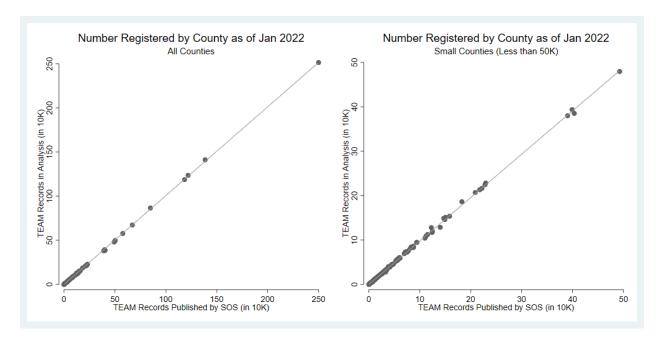


TABLE 2: Rates of Missing Information in TEAM

Missing SSN	2.34%
Missing Unique SSN9	6.64
Missing First Name	0.00
Missing Last Name	0.00
Missing Birthdate	0.05
Missing M/F Gender	3.68
Missing Street Number	0.07
Missing Zip Code	0.05
TOTAL IN DATABASE	17,026,054

39. Table 2 shows the rate at which key fields in TEAM are missing data. As is clear, zero records – or at least less than 0.01% of records – are missing names. A small number – less than a tenth of a percent – are missing birthdates, street numbers, or zip codes. Whereas the DPS data treats gender as a binary field, with only M or F listed,

the TEAM file has other gender designations. Most significantly, 623,052 individuals are listed with gender code of U. For the purpose of linking databases using the gender field, I treat those not M or F as missing on gender.

C. Data Quality Checks in TEAM Voter Records

- 40. I performed a series of additional diagnostics on the TEAM file, examining the quality of the key fields.
- 41. <u>Birthdates</u>. On TEAM, 4,066 individuals have invalid birthdates. These are either missing completely or have dates such as "01-01-0001". Another 5,235 individuals have birthdates indicating they were born before 1912, suggesting they are over 110 years old. Of these, most (4,824) have birthdates listed before October 1, 1906. That date, according to AARP, is the birthdate of the oldest American as of January 2022. That is, TEAM lists almost five thousand registered voters with birthdates older than the oldest American. Many of these individuals are listed with birthdates such as January 1, 1900 and January 1, 1901.
- 42. <u>Social Security Number</u>. The social security number (SSN) field in TEAM is missing completely for 398,140 individuals. For 436,948 additional individuals, a four-digit SSN is listed rather than a nine-digit SSN. ¹⁰
- 43. While 16,190,957 (95.10%) have a nine-digit SSN listed on TEAM, some of these numbers are invalid. For instance, SSNs cannot start with three zeroes (000-XX-XXXXX), nor can they end with four zeroes (XXX-XX-0000). They cannot start with a 9 (9XX-XX-XXXXX), nor start with a 666 (666-XX-XXXX), nor can they have two

⁹ Karen Skiba, "Oldest American Credits Long Life to Avoiding Worry," AARP, May 20, 2021. This individual died in late January 2022.

¹⁰ Nine individuals are listed with five-digit or six-digit social security numbers, which are invalid.

- zeroes in the middle (XXX-00-XXXX). 11 All of these instances appear in the TEAM file and affect 183 records. Another 181 records share an SSN listed as 111-11-1111. Seven records share the SSN of 999-99-9999.
- 44. Much more common than invalid SSN9s are duplicative SSN9s. Several hundred thousand records on TEAM share an SSN9 with another record. In most of these cases, these are multiple records of the same individual who has multiple rows with different VUIDs. In other cases, however, different people (with different names and dates of birth) are listed with a common SSN9. There are 15,835 records who share a 9-digit SSN with another registrant in Texas, according to TEAM, but have a different last name, first name, and date of birth from that other listed registrant.
- 45. Altogether, 15,895,752 individuals of the 16,190,957 listed with an SSN9 have a unique nine-digit SSN. That is, SSN9 is not unique for 1.82% of individuals who are listed with an SSN9. Thus, while a 9-digit SSN is, in principle, a unique identifier, that isn't quite the case in TEAM records. A variety of circumstances can result in duplicate SSN9s, including individuals assigned incorrect SSN9s, such as 111-11-1111, and typos such that a person ends up being listed with the SSN9 of another person who has a similar SSN9.
- 46. <u>Driver's License/ID card</u>. Of all the records in TEAM, 537,270 (3.16%) are not listed with a DPS ID Number. Of these, 102,074 are also not listed with an SSN4 or SSN9. Apart from TEAM records missing a DPS ID Number altogether, other records have ID numbers listed that are not valid. For instance, 3,610 have a nine-digit DPS ID Number even though the DPS ID is officially an 8-digit number. Forty-seven

¹¹ Social Security Administration, "Social Security is Changing the Way SSNs are Issued," https://www.ssa.gov/kc/SSAFactSheet--IssuingSSNs.pdf.

individuals share an DPS ID Number of 111111111 and thirty individuals share the number 99999999.

TABLE 3: Summary of Field Completeness in TEAM

TOTAL Records in TEAM analysis	17,026,054	
Records with unique SSN9	15,895,752	93.36%
Records with SSN4	16,627,905	97.66
Records with DPS ID Number	16,488,784	96.84
Records lacking SSN4 and DPS ID No.	102,074	0.6

47. Table 3 summarizes information about the SSN and DPS ID Number information contained in TEAM. In Table 3, records for SSN4 and DPS ID Number include those that are invalid. For instance, the 47 individuals listed with DPS ID numbers as 11111111 are included in the totals. If such a person possesses a DPS ID Number that is not 1111111 and includes that number on a mail ballot application, election officials would reject the application as it does not match the 11111111 that is listed on TEAM.

TABLE 4: Terminology Review

TEAM database	Database of registered voters (Texas Election Administration	
	Management system)	
DPS database	Database of Department of Public Safety ID card holder (e.g.	
	driver's licenses)	
DPS ID Number	An 8-digit DPS identification number (e.g. driver's license	
	number)	
SSN9	Complete, nine-digit social security number	
SSN4	The last four digits of a social security number	

48. <u>Address and Gender</u>. While most TEAM records list standard residential addresses, 9,130 registrants are listed without a zip code and 11,621 records do not have a street

- address number. Gender is either missing or defined as unknown or other than male and female for 627,115 records.
- 49. Before proceeding with the next stage of the report, Table 4 reviews and summarizes a few key abbreviations of terms used up until this point in my report.

V. Methodology for Linking Records between TEAM and DPS

- 50. As stated above, the methodology of this analysis is to look up each registered voter in the DPS database and determine if the registered voter has one (or more) DPS ID Numbers listed, and to see if there are typos or other inconsistencies between the DPS ID Numbers and SSN4s listed on TEAM versus those listed on the DPS Database.
- 51. I will adapt a methodology I developed and published in Ansolabehere and Hersh (2017). 12 I will illustrate this methodology through an example of a fictitious registered voter. I will call this person John Smith and assign him the fake social security number of 123-45-6789 and the fake birthdate of July 4, 1976. The fictitious John Smith is a male who lives at 655 E Cesar E. Chavez Blvd, San Antonio TX 78205. This is the address of the United States Courthouse. It is a real address. But, again, our fake illustrative person, John Smith, does not actually live there.
- 52. Suppose John Smith has a unique social security number listed on TEAM database.

 That is, his SSN9 is listed in registration records and no one else on TEAM is listed with that SSN9. He would be one of 93.36% of registered voters with a unique SSN9 on the TEAM file. The first step of my analysis is to merge the TEAM file with the DPS file for these 93.36% of TEAM records on the basis of their SSN9s.

¹² Stephen Ansolabehere and Eitan Hersh, "ADGN: An Algorithm for Record Linkage Using Address, Date of Birth, Gender and Name," *Statistics and Public Policy*, 4:1, 2017.

TABLE 5: Illustration of Linking TEAM and DPS based on SSN9

TEAM Data	base		DPS Databa	ase	
Name	SSN9	DPS ID No.	Name	SSN9	DPS ID No.
John Smith	123-45-6789	(missing)	John Smith	123-45-6789	11223344

- 53. In the scenario depicted in Table 5, John Smith does not have a DPS ID Number listed on the TEAM file (similar to more than half a million Texans). When I search for his SSN9 on the DPS file, however, I find his record and learn that he does, in fact, have a DPS ID Number. If Smith were to include only this DPS ID Number on his mail ballot application (as the mail ballot application form instructs him to do), his application would be rejected by election officials since that DPS ID Number does not appear in TEAM.
- 54. After linking TEAM and DPS based on SSN9s, I calculate the key statistics, such as the number of individuals who, like Smith, do not have a DPS ID Number listed in TEAM but do have one listed in DPS.
- 55. For two reasons, I also must match TEAM and DPS based on identifiers other than SSN9. For one, 6.5% of registrants in Texas are not listed in TEAM with a unique SSN9. For another, suppose there are inaccuracies in how SSN9 is stored. Maybe, when John Smith registered to vote, an election official entered Smith's social security number with a typo, noting it as 123-45-6782 instead of 123-45-6789. In this scenario, John Smith would not match to his DPS record based on the SSN9, since the SSN9 is recorded incorrectly. Additionally, if Smith were to submit a mail ballot application using the last four digits of his social security number as his identification, his application would be rejected. He would write "6789" as his SSN4, but the TEAM record would show "6782".

- 56. Therefore, in addition to linking TEAM and DPS based on SSN9s, I also link the databases on combinations of personal information. The first combination I will use is first name + last name + date of birth. I use the following procedure. Observing that birthdate in TEAM is stored MM-DD-YYYY while in DPS it is stored as YYYY-MM-DD, I reconfigure the TEAM birthdate information to match DPS. Next, following my past research (Ansolabehere and Hersh, 2017), I prepare the first name and last name fields. Sometimes, names are stored differently in different databases. For instance, names with dashes, apostrophes, or spaces are sometimes stored with punctuation or spaces and other times not. Names with suffixes, such as Jr. or III, are sometimes stored with the suffix as part of the surname and other times not. I process the first and last names in TEAM by removing punctuation, spaces, and suffixes. I then combine the three fields into a field I will refer to as "ND" for name + date of birth.
- 57. Thus, the fictitious John Smith would have an ND value of "JOHNSMITH1976-07-04." I create this field in the TEAM file and I create an equivalent field in the DPS file. I then merge the files together on the basis of this ND field, just as I had done using SSN9. I can then compare how John Smith's SSN4 and DPS ID Number appear on the TEAM file with how these numbers appear on the DPS file.
- 58. Is ND a unique identifier similar to SSN9? Excluding the records of individuals who are missing birthdate information in TEAM, ND uniquely identifies 98.62% of individuals in TEAM. The remaining 1.38% are duplicative. Note that the rate of duplicates on ND is *less than* the rate of duplicates on SSN9 in TEAM (1.82%),

- which was discussed above. In addition, because name and birthdate are rarely missing, the identifier is available for 17,021,992 (99.98%) of the records.
- 59. There are several reasons why an individual might not have a unique ND identifier in a small number of cases. Similar to non-unique SSN9s, there are some individuals in TEAM who are listed multiple times, with different VUIDs, or perhaps at different addresses. The de-duplication processes described earlier in this report would not have accounted for individuals listed with different VUIDs. These individuals would nevertheless show up as duplicates on ND and SSN9. In addition, just as there are rare cases on TEAM where different individuals (with different names and birthdates) share an SSN9, there are a small number of individuals who are different people but share a value on ND. In the case of SSN9, the duplicate is due to an error, as no two individuals are supposed to share an SSN9. With the ND identifier, there are a small number of individuals who do share a first name, last name, and exact date of birth with another registrant.
- 60. How common is it for two different people to share a value on ND? Consider individuals who have unique SSN9s on TEAM (N=15,895,752). Because they are unique on SSN9, they are not likely to include instances of individuals who are listed on TEAM more than once with different VUIDs. Of those with a unique SSN9, 99.64% (15,838,711) also have a unique ND value. Thus, the remaining 0.36% may have a non-unique ND because they share a name and date of birth with another registrant.
- 61. I guard against linking two different people who share a common ND by only attempting to link records if the value of ND is unique on the TEAM file. In other

words, for the 1.38% of records that are not unique on TEAM based on their ND (either because they contain erroneous information, identify individuals who are listed multiple times in TEAM, or identify multiple individuals who have the same name and birthdate), I do not attempt to link them to the DPS database using ND. Furthermore, in an analysis described below, I will be able to estimate whether individuals who are listed in TEAM are a false-positive match to different individuals with the same names and birthdates who are listed in DPS.

- 62. In addition to linking TEAM and DPS based on SSN9 and based on the combination of name and birthdate, I perform one additional linkage between the files, based on address, gender, and date of birth. Why is this additional linkage necessary? While the Name + Date of Birth combination is available for nearly all registrants in TEAM and exhibits a higher rate of uniqueness than SSN9, it does have a drawback in linking individuals between two databases. Namely, it is stored less consistently than SSN9. Surnames often change when people marry. First names are sometimes recorded with nicknames. The fictitious John Smith may have registered to vote using his nickname, Johnny Smith. Or, maybe John Smith took on a hyphenated surname when he got married. As such, he is listed as John Smith in the DPS records but John Smith-Jones on TEAM. Name inconsistencies across databases mean that a person with a unique name and date of birth on TEAM might fail to match to his or her record on DPS.
- 63. Accordingly, I also link records between TEAM and DPS with an alternative identifier that excludes name information. I match individuals based on a combination of address, date of birth, and gender. Following procedures discussed in Ansolabehere

and Hersh (2017), I extract two pieces of information from addresses, the street number and the five-digit zip code. I then combine them. Our fictitious character John Smith lives at 655 E Cesar E. Chavez Blvd, San Antonio TX 78205. From this address, I would extract 65578205 (the 655 from the street number, the 78205 from the zip code). By extracting just these numbers, I avoid possible inconsistencies in how addresses are stored in different databases. In one database, Smith's address might be listed as "E Cesar E Chavez Blvd" whereas in another database it could be listed as "East Cesar Chavez Boulevard". Due to inconsistences in naming conventions of streets, I focus just on the street number and zip code.

- 64. I combine the address information with the date of birth and gender (represented by "M" or "F") of registrants. I call this combination ADG, for address + date of birth + gender. For instance. John Smith's ADG combination would be 655782051976-07-04M. If the individual does not have residential address information listed but does have mailing address information listed, I use the mailing address (and PO boxes, when street addresses are not present) in place of the residential address.
- 65. The ADG identifier can be constructed for all registrants who have a gender, birthdate, and address listed. This amounts to 16,398,349 individuals (96.31% of TEAM). Of these, the ADG identifier is unique for 99.29% of them. This compares to 98.62% for ND and 98.18% for SSN. Among individuals who are unique on SSN, 99.52% are also unique on ADG.
- 66. As with the other identifiers, there are rare circumstances where two different individuals share the same ADG identifier. For instance, two twins of the same gender who are registered at the same address would be two different people with a

- matching ADG. As with the other identifiers, I only seek to link records based on ADG for individuals who are unique on ADG in the TEAM file. Thus, in the case of same-gender, same-address twins, I would not seek to link them to DPS based on ADG. However, assuming they are uniquely identified by either their SSN or DN, they would be linked to the DPS file in those ways.
- 67. Just as the ND combination will not match individuals if there is a discrepancy in the name or date of birth field, the ADG combination will not match individuals if there is a discrepancy in the address, gender, or date of birth fields. The most likely scenario of a non-match on ADG is when an individual has an old residential address listed on one database and a new residential address listed on another database. If a person has two different addresses listed on TEAM and DPS, then the person's records will not match on ADG. However, assuming the individual has a unique SSN9 listed OR has his/her name and birthdate listed consistently across databases, then the person on TEAM would match to his/her record on DPS. Out of all 17,026,054 registered voters, I can attempt to link all but 39,549 (0.23%) records to DPS. These 0.23% of records are not unique on the TEAM file on any of SSN9, ND, or ADG.
- 68. Table 6 summarizes the names of the fields used to match across databases. On the DPS file, I create a parallel set of fields: SSN9, ND, and ADG. The major difference between preparing the TEAM file and the DPS file is that the DPS file has multiple rows of individuals who have more than one DPS ID Number. Thus, the linkage fields are meant to uniquely identify individual *people* on DPS but they are not meant to uniquely identify individual *records*. When linking records between TEAM and

DPS, I thus perform 1-to-many merges. This means that for each TEAM record that is unique on SSN9, I find one or more records on DPS that match that SSN9. For each TEAM record that is unique on ND, I find one or more records on DPS that match that ND. And for each TEAM record that is unique on ADG, I find one or more records on DPS that match that ADG.

TABLE 6: Summary of Fields Used in Linking TEAM Database to DPS Database

Field Name	Explanation	"John Smith" example
SSN9	9-digit social security number	"123-45-6789"
ND	First name + Last name + Date of birth	"JOHNSMITH1977-07-04"
ADG	Address + Date of birth + Gender	"655782051976-07-04M"

- 69. In creating these linkage combinations, some questions may arise. First, if a record in TEAM links to a record on DPS based on ND or ADG, how confident ought we be that the person with these name, birthdate, address, and gender attributes on TEAM is the same person with these attributes on DPS? Below, I will validate the accuracy of the linkage technique by comparing social security numbers of those who match on ND or ADG. I will show that a person who matches on ND or ADG almost always matches on SSN9 as well. And when the person does not have matching SSN9s, it is far more likely to be due to a typographical error in SSN9 rather than a false positive match on ND or ADG.
- 70. The second question that arises is why use the particular combinations here (ND and ADG) rather than other possible combinations. Indeed, in prior court cases and published work, I utilized alternative algorithms. For instance, in *Fish v. Kobach*, I utilized ND, ADN (address, date of birth, and name), and AD (address and date of

- birth). In Hersh and Ansolabehere (2017), which relates to expert testimony of Dr. Ansolabehere in *Veasey v. Perry*, we used several additional combinations, such as gender, date of birth, and name (GDN).
- 71. The exact set of linking combinations depends on the features of the data and the research question in any particular case. The methodology can be adapted based on what is needed. For instance, in *Veasey v. Perry*, a nine-digit social security number was only available for half of registered voters in Texas (Ansolabehere and Hersh, 2017). In the present case, SSN9 is available for over 90% of registrants. As such, one need to rely less on combinations of other identifiers. In the current data, because gender is missing for about 4% of records but name and birthdate are missing for less than 0.01% of records, it is advantageous to link based on name and birthdate (ND) without adding gender to that combination. Because first names are typically distinctive by gender, gender only aids in generating unique identifiers in rare cases when two individuals with the exact same name and birthdate are of different genders.
- 72. The combinations used here, ND and ADG, are advantageous because they uniquely identify almost every registered voter and together, they are able to do so without using the name field (in the case of ADG) and the address field (in the case of ND). Due to residential moves, nick-names, and married names, these two fields can be stored inconsistently across databases. Successive attempts at matching based on SSN9, ND, and ADG allow for matches to individuals who are missing data or have inconsistent records on SSN9, name, address, and gender.

73. Finally, as the analysis below demonstrates, the three linkages used here identify almost all (98.7%) of registrants on the DPS database who have a DPS ID Number listed on TEAM. Additional attempts to link the databases based on different combinations of address, gender, date of birth, and name would only serve to find a few more DPS ID holders and identify a few more instances of problems associated with SB 1's identification number requirements.

Subpopulations

- 74. In addition to preparing the DPS database and TEAM databases as described above, I prepare the data files so I can observe rates of problematic SSN4s and DPS ID Numbers for specific subpopulations of registered voters.
 - a. Over 65: I create a file that notes every registered voter listed as born before 1957 and after 1906. This represents the over-65 population (excluding those with implausibly old birthdates).
 - b. Recent Voters: I create a file that notes every registered voter who cast a ballot in the November 2020 election. Why these voters? I sought to determine whether problems with the ID verification requirement are just concentrated among registrants who have obsolete records or who have not recently cast ballots. If that were the case, maybe the problems identified would not be seen as acute. However, problems affecting records of individuals who just recently voted suggests the identification verification requirement impacts actively engaged voters.

- c. Overseas Voters: I create a file that notes every registered voter who has a non-US mailing address. These could include some members of the armed forces, military families, and other overseas citizens who would be particularly likely to cast ballots by mail.
- d. Homebound/Disabled Veteran: In the DPS database, individuals are flagged if they have a status as a disabled veteran or a homebound person. I perform a separate link between TEAM records and the DPS records of those who have a disabled veteran flag or homebound flag using the same methodology as used for the general population.

VI. Linkage Part I: TEAM Records with missing DPS ID Numbers

- 75. I divide the analysis into two parts. First, I examine individuals whose TEAM records do not show any DPS ID Number. Second, I examine individuals whose TEAM records do show a DPS ID Number.
- 76. Out of 17,026,054 records in TEAM, 537,270 do not have a DPS ID Number listed in the voter registration records. If any of these individuals actually has a DPS ID Number, they are instructed by the mail ballot application forms to include that DPS ID Number. But SB 1 requires that these forms the application and the ballot itself to be rejected because the DPS ID Number is not listed on TEAM.
- 77. Registrants who do not have a DPS ID Number recorded on TEAM are different from those who do have a DPS ID Number recorded on TEAM. Namely, they are older.

 The median age for a registrant without a DPS ID Number on TEAM is 58. The median age for a registrant with a DPS ID Number on TEAM is 48. Whereas 24% of

individuals with a DPS ID Number on TEAM are 65 or older, that rate is nearly double (42%) for individuals without a DPS ID Number. Age 65 and older is relevant as all voters 65 and older may request an absentee ballot under Texas law.

TABLE 7: TEAM records by Presence/Absence of Unique SSN9 and DPS ID

Number

		Unique SSN9		
	Present Absent TOTAL			TOTAL
DPS ID	Present	15,745,864	742,920	16,488,784
Number	Absent	149,888	387,382	537,270

- 78. I link the 537,270 individuals who do not have DPS ID Numbers recorded in TEAM to the DPS database using the SSN, ND, and ADG techniques described above.
- 79. I first link by SSN9. Of the 537,270 individuals without a DPS ID Number, 149,888 have a unique SSN9 listed (as noted in Table 7). Of those, 83.93% match to the DPS database by their SSN9. A total of 76.18% of the records match to a single DPS ID Number, and 7.75% link to multiple DPS ID Numbers.
- 80. I next link these individuals based on ND. As noted in Table 7, most individuals who lack DPS ID Numbers on TEAM also lack an SSN9. However, nearly all of the records have a unique ND combination. Of the 537,270 lacking a DPS ID Number on TEAM, 517,283 (96.28%) have a unique ND. Of those who have a unique ND, 33.86% match to a single DPS record and 5.46% match to multiple DPS records.
- 81. I next link these individuals based on ADG. Of 537,270 records lacking a DPS ID Number on TEAM, 478,632 (89.09%) have a unique ADG. Of those with a unique ADG, 36.82% match to a single DPS record and 4.54% match to multiple DPS records.

TABLE 8: Results of Linking TEAM to DPS Records for TEAM Records without a DPS ID Number listed

	No Match to DPS	Single Match to DPS	Multiple Match to DPS	Attempted to Match
SSN9	16.07%	76.18%	7.75%	149,888
ND	60.68	33.86	5.46	517,283
ADG	58.63	36.82	4.54	478,632
Any	47.97	45.64	6.39	531,251

- 82. Table 8 summarizes the analysis of records that do not have a DPS ID Number listed on the TEAM voter file. Each of the first three rows summarizes a linkage between TEAM and DPS based on SSN9, ND, and ADG, respectively. For instance, the first row shows that I attempted to match 149,888 records in TEAM based on SSN9. This reflects the number of TEAM records with a unique SSN9. Of those, 16.07% did not match to DPS. The others did match.
- 83. The bottom row of Table 8 provides the overall summary for the TEAM records lacking a DPS ID Number. Of the 537,270 total records lacking a DPS ID Number, I attempted to link 531,251 (98.88%) to the DPS database. (The other 1.12% did not have a unique or complete value for SSN9, ND, or ADG). Of the 531,251 individuals I attempted to find on DPS, a majority (52.03%) matched to a DPS record. That amounts to 276,405 registered voters. These individuals possess a DPS ID Number and therefore are instructed by Texas's mail ballot forms to list their DPS ID Number on their mail ballot application. However, SB 1 requires that their ballot application, and their ballot, to be rejected because the number is not listed on TEAM.
- 84. <u>Subpopulations:</u> Of the 276,405 individual who match to DPS and have a DPS ID Number even though no such number is listed on TEAM,

- 155,583 are over age 65
- 95,892 voted in the 2020 election
- 59,567 are over 65 AND voted in the 2020 election
- 374 have non-US mailing addresses
- 781 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers clearly show that many active voters who are eligible to vote by mail under Texas law are listed in TEAM without DPS ID Numbers but do in fact possess DPS ID Numbers.

A. Validation of Methodology

85. There are obvious reasons why an individual who matches on SSN9 would fail to match on ND or ADG. If there is a nickname used in one database, if a surname has changed, if gender is not recorded as male or female, or if an address has changed, this would cause individuals who match on SSN9 not to match on one or more of the other combinations. However, individuals who match on ND or ADG *but DO NOT* match on SSN9 present a puzzle. Do these individuals fail to match on SSN9 because ND or ADG are causing false positive matches between two different people? Or do these individuals fail to match on SSN9 because the SSN9 information is recorded in error on either TEAM or DPS?

TABLE 9: Rates of Mismatches on SSN9 for Records that Matched on ND or ADG

If matched on	SSN9 Match	SSN9 No Match	N
ND	97.63	2.37	83,504
ADG	97.66	2.34	98,547

- 86. In Table 9, I show how often records that match on ND or ADG do not match on SSN9. It is rare. For instance, the first row assesses those who have SSN9 present on both TEAM and DPS and who matched on ND. Of these 83,504 individual records, 97.63% also matched on SSN. As the table shows, on both ND and ADG, just over 2 percent of individuals have mismatched SSN9s.
- 87. In these 2 percent of cases with mismatched SSN9s, I conduct a further analysis. This analysis demonstrates conclusively that individuals who match on ND or ADG but not on SSN9 fail to match because of typos in SSN9 rather than because these linkage strategies generate false-positive matches.
- 88. The further analysis I conduct uses a measurement tool known as Levenshtein distance. The Levenshtein distance is simply the number of characters in a string that would need to change in order for two strings to match each other. For instance, consider these two strings of numbers. String #1 is: 123-45-6789. String #2 is: 123-45-6788. The Levenshtein distance between these two strings is 1, since only one character would need to change for these two strings to be identical. Now consider the Levenshtein distance between String #1 (123-45-6789) and a new string, String #3. String #3 is 987-65-4321. The Levenshtein distance between String #1 and String #3 is 8, because 8 of the 9 numbers in String #1 (all the numbers except the 5) would need to change for 123-45-6789 to equal 987-65-4321.
- 89. Now consider the registrants in TEAM who match to individuals in DPS based on their ND or ADG, but they do not have matching SSN9s. If these represent false-positive matches (i.e. two different people who share traits such as name, address, birthdate, and gender), then their social security numbers should be entirely different

from one another. If their social security numbers are entirely different from one another, then the Levenshtein distance should be high (i.e. most or all of the numbers in the SSN9 would need to change for these two random people to have matching SSN9s). However, consider another possibility, which is that the person who matches on ND or ADG but not on SSN9 is one individual with one SSN9, but there is an error in how this person's SSN9 is recorded either on TEAM or on DPS. The recording error in a Texas database would be the reason the records do not match based on an SSN9. If there is a typographical error on one or two of the digits, then the Levenshstein distance would be low (i.e. just one or two of the digits would need to change for these two SSN9s to match).

TABLE 10: Levenshtein Distance Measures between SSN9 on DPS and SSN9 on TEAM for records that match on ND or ADG but Do Not Match on SSN9

	ND	ADG
1	65.49%	66.07%
2	18.47	18.98
3	2.57	2.61
4	1.87	1.95
5	1.56	1.61
6	2.62	2.65
7	3.18	2.52
8	2.98	2.69
9	1.26	0.91
N	1,982	2,302

90. For each record that matches on ND or ADG but does not match on SSN9, I compare the SSN9 as it is recorded in TEAM and the SSN9 as it is recorded in DPS. In Table 10, I record the distribution of Levenshtein distances. As is shown, for approximately 85% of these cases, the Levenshtein distance is 1 or 2, which signals that the SSN9s

as recorded in TEAM and DPS are identical but for one or two digits. Table 10 provides conclusive evidence that in the rare cases in which records match on DN or AGD but not on SSN9, it is overwhelmingly because there are typos in the recording of SSN9s.

B. Typographical Errors in SSN4

91. The above analysis is not only useful in validating the linkage technique used here. It also signals an issue with SB 1. Namely, some typos in SSN9 happen to be in the last four digits of the social security number. A registered voter who applies for a mail ballot and records their SSN4 correctly on the application will have their application rejected if there is a typo in SSN4. Among registrants who lack a DPS ID Number recorded on TEAM but who match to a record in DPS based on ND or ADG, I compare the SSN4 as recorded on the two databases. I find that 3,726 individuals who appear on both databases have discrepancies in their SSN4s. If the DPS records of SSN are correct, then these 3,726 cases result from inaccuracies on TEAM. They would result in election officials rejected mail ballot forms from citizens who include their correct SSN4 on the forms.

VII. Linkage Part II: TEAM Records Listed with DPS ID Numbers

92. I now turn to the analysis of the 16,488,784 records in which a DPS ID Number is listed in the TEAM databases. As noted above, in Table 7, 95.5% of these records have a unique SSN9 associated with them. I first link these records to DPS by matching on SSN9. Of 15,745,864 records with a unique SSN9 on TEAM, 99.66%

- match to a record in DPS. However, 15.60% of the records match to more than one DPS ID Number.
- 93. Next, I link records based on the ND combination. The ND combination is unique for 16,269,349 individuals who have a DPS ID Number listed on TEAM. Of these, 97.39% match to a record in DPS. However, 15.20% match to more than one DPS ID Number.
- 94. Next, I link records based on the ADG combination. The ADG combination is unique for 15,803,406 individuals who have a DPS ID Number listed on TEAM. Of these, 79.32% match to a record in DPS. However, 9.84% match to more than one DPS ID Number. Notice, fewer individuals on TEAM match to records on DPS based on the ADG indicator compared to the ND indicator. This is attributable to residential address differences between individuals listed on TEAM and those same individuals listed on DPS.

TABLE 11: Results of Linking TEAM to DPS Records for TEAM Records with a DPS ID Number listed

	No Match to DPS	Single Match to DPS	Multiple Match to DPS	Attempted
				to Match
SSN9	0.34%	84.06%	15.60%	15,745,864
ND	2.61	82.19	15.20	16,269,349
ADG	20.68	69.48	9.84	15,803,406
Any	1.30	85.25	13.45	16,455,254

95. Table 11 summarizes the analysis of records missing a DPS ID Number on the voter file. Consider the bottom row. Of the 16,488,784 records in TEAM listed with a DPS ID Number, I attempted to link 16,455,264 (99.80%) of them to the DPS database. The remaining 0.20% did not have a unique or complete record on SSN, ND, and

ADG. Of these 16,455,254 records, 98.70% (that is, all but 1.30%) matched to a record in DPS. However, 13.45% of these 16.5 million people are listed more than once on DPS, with multiple ID numbers. These 13.45% of records sum up to 2,213,676 records. That is, for 2.2 million Texas registered voters who have a DPS ID Number listed, they may put a correct DPS ID Number on their mail ballot application form but nevertheless have their application (or their ballot) rejected because the DPS ID Number they write down, while correct, happens not to be the DPS ID Number recorded on the TEAM file.

- 96. The 2.2 million figure may be a significant underestimate. Recall that on about 10% of rows in the DPS file, ID holders are listed not just with one DPS ID Number but they have alternative ID numbers stored as "AKA DL/ID Numbers." Of the 14,027,371 TEAM records that linked to a *single* DPS ID Number, 1,412,213 of them linked to a record that listed alternative ID numbers in the "AKA DL/ID Number" field. If these ID Numbers are current or expired Texas ID Numbers such as driver's license numbers, a registrant who uses these alternative numbers when submitting a mail ballot application or mail ballot would also have his or her forms rejected. However, as stated earlier, it is unclear from the information Texas has provided thus far whether the "AKA DL/ID Number" field includes any DPS ID Number or some DPS ID Numbers combined with ID numbers from other states or other kinds of numbers altogether. Accordingly, I will focus here on registered voters who have multiple DPS ID Numbers exclusive of the AKA DL/ID Numbers.
- 97. <u>Subpopulations</u>: Of the 2,213,676 individuals who match to multiple DPS ID Numbers,

- 189,699 are over age 65
- 1,105,194 voted in the 2020 election
- 114,129 are over 65 AND voted in the 2020 election
- 277 have non-US mailing addresses
- 5,308 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers show that many active voters who are eligible to vote by mail under

Texas law are listed in TEAM with a DPS ID Number but possess multiple DPS ID

Numbers. If they list a DPS ID Number other than the one that happens to be recorded in

TEAM, SB 1 requires their mail ballot forms to be rejected.

A. Validation of Methodology

98. As in the analysis regarding individuals not listed with DPS ID Numbers, I now conduct the same validation exercise for those who do have DPS ID Numbers listed.

Namely, I investigate the records that matched between TEAM and DPS based on ND and/or ADG, but did not match across databases on SSN9.

TABLE 12 Rates of Mismatches on SSN9 for Records that Matched on ND or ADG

SSN9			
If matched	Match	No Match	N
on			
ND	99.81	0.19	15,420,951
ADG	99.78	0.22	12,100,999

99. In Table 12, I restrict the analysis to those who have an SSN9 recorded both in the TEAM file and the DPS file. The rows indicate the percent that matched on SSN9. As

Table 11 shows, if an individual record linked based on ND or ADG, the record also links based on SSN9 in 99.8% of cases. But even in these 0.2% of cases, why do individuals link on name, address, date of birth, and gender, but not on SSN9?

TABLE 13: Levenshtein Distance Measures between SSN9 on DPS and SSN9 on TEAM for records that match on ND or ADG but Do Not Match on SSN9

	ND	ADG
1	70.06%	70.51%
2	19.24	19.30
3	2.36	2.32
4	1.56	1.56
5	0.71	0.70
6	1.27	1.19
7	1.85	1.65
8	1.99	1.86
9	0.94	0.91
N	29,982	26,520

100. As Table 13 shows, in 90% of cases in which a record links based on ND or ADG but not SSN9, the SSN9 listed in TEAM and the SSN9 listed in DPS are off by just one or two digits. This is indicative that typos in one or two positions in an SSN9 are the cause of most the mismatches.

B. Typographical Errors in SSN4

101. Looking just at the last 4 digits of social security numbers, I calculate the number of individuals in TEAM who match to records in DPS based on ND and ADG, but whose TEAM records show a different SSN4 than is shown on DPS. There are 40,718 individuals who appear on DPS with different SSN4s than shown on TEAM. If the DPS database is correct and these individuals mark down their correct SSN4 on

a mail ballot application, then their application will be rejected because of incorrectly recorded data in TEAM.

- 102. <u>Subpopulations:</u> Of the 40,718 individuals whose SSN4s listed on TEAM do not match the SSN4s listed in the DPS database
 - 15,544 are over age 65
 - 28,880 voted in the 2020 election
 - 12,015 are over 65 AND voted in the 2020 election
 - 25 have non-US mailing addresses
 - 98 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers clearly show that many active voters who are eligible to vote by mail under Texas law are listed in TEAM with an SSN4 that is inconsistent with the SSN4 listed in the DPS database.

C. Typographical Errors in DPS ID Numbers

103. Just as there are discrepancies between the SSNs listed in TEAM and the corresponding SSNs listed in DPS, there are also discrepancies in DPS ID Numbers. However, they are more complicated to tabulate. For each of the three linkages (SSN9, ND, and ADG), I calculate the rate of mismatches on DPS ID between the two databases. As Table 14 shows, in over 99% of cases, the DPS ID Number listed on TEAM matches one of the DPS ID Numbers listed in the DPS database. (In this analysis, for registrants who match to multiple DPS ID Numbers, I count them in the "match" column if one of the DPS ID Numbers listed in DPS matches the DPS ID Number listed in TEAM.)

TABLE 14 Rates of Mismatches on DPS ID Number for Records that Matched on SSN9, ND, or ADG

If matched on	DPS ID Match	DPS ID No Match	N
SSN9	99.59	0.41	15,692,006
ND	99.56	0.44	15,844,010
ADG	99.24	0.76	12,536,045

on TEAM and the DPS ID Numbers recorded on DPS. The table makes the calculation for the less than 1% of individuals who have mismatched DPS ID Numbers. For individuals on TEAM whose records match to multiple DPS ID Numbers, the table reflects the DPS ID Number on the DPS database that is closest (i.e. has the lowest Levenshstein distance).

TABLE 15: Levenshtein Distance Measures between DPS ID Number on DPS and DPS ID Number on TEAM for records that match on SSN9, ND, or ADG

	SSN9	ND	ADG
1	25.36%	26.05%	15.71%
2	6.94	7.22	4.51
3	1.25	1.33	1.13
4	2.20	2.22	2.47
5	8.58	8.35	9.93
6	22.54	21.64	25.92
7	24.89	24.70	29.76
8	8.24	8.49	10.57
N	64,346	68,959	94,870

- 105. As Table 15 shows, about 20-33% of mismatched DPS ID Numbers are off by just one or two digits. The majority of those with mismatched DPS ID Numbers show entirely different DPS ID Numbers. For example, consider the 64,346 individuals (Table 15, Column 1) who have a DPS ID Number and SSN9 listed on TEAM. They were matched to DPS records based on their SSN9. However, a comparison between the DPS ID Number listed in TEAM and the DPS ID Number listed in the DPS database show mismatching DPS ID Numbers. While a third of these are just off by one or two digits (suggesting typographical errors), most are showing completely different DPS ID Numbers.
- 106. Why does this occur? In some of the cases where the DPS ID Numbers are completely different, it is because these individuals in TEAM have a typo in their social security numbers rather than their DPS ID Numbers. When they match to a record in the DPS ID database based on their SSN9, they are actually matching to a different person (i.e. they match to the person who has the social security number that is incorrectly recorded for them). In other cases, these registrants may be matching to the right record in DPS, but the DPS database shows an entirely different DPS ID Number than is shown in TEAM.
- Number listed in TEAM that is different than the DPS ID Number listed in DPS, I cannot count all the results in Table 15. Some of these individuals might have an accurate DPS ID Number but they have an inaccurate SSN9, so if they just use their DPS ID Number when submitting a mail ballot application, their application would not be rejected.

- Levenshtein distance of any of three linkages (SSN9, ND, ADG). An example will help explain this. Suppose John Smith has a typo in his SSN9 as it is listed in TEAM. His SSN9 is 123-45-6789, but it is listed in TEAM as 123-45-6788. When I link his record to DPS, his links to another person's records. She is Jane Doe, and her SSN9 is 123-45-6788. Now, when I compare the DPS ID Number on John Smith's TEAM record to the DPS ID Number on the record he matches to (Jane Doe's record), the DPS ID Numbers are completely different. They might have a Levenshtein distance of 6, 7, or 8.
- 109. However, I also link John Smith to his DPS record based on his ND and ADG combinations. In those linkages, Smith links to his actual record in DPS. If there are no typos or other discrepancies in how his DPS ID Number is stored, he would have a Levenshtein distance of zero, and I would not treat this as a problematic record with respect to the DPS ID Number. (I would, of course, treat it as a problematic record with respect to the faulty SSN9). However, suppose that Smith *also* has a typo or other discrepancy in his DPS ID Number. On TEAM, his DPS ID Number would read 11223345, but on the DPS database his DPS ID Number would read 11223344. The comparison between these numbers would generate a Levenshtein distance of 1.
- 110. For each person in TEAM, I thus calculate the Levenhstein distance between their DPS ID Number listed in TEAM and *the closest* DPS ID Number they link to in the DPS database. By this conservative estimation method, I calculate that 68,190 individuals do not have a DPS ID Number in TEAM that matches any DPS ID Number in DPS.

- 111. <u>Subpopulations:</u> Of the 68,190 individuals on TEAM who match to DPS on SSN9, ND, and ADG, but do not have DPS ID Numbers that correspond to the DPS database,
 - 17,270 are over age 65
 - 34,187 voted in the 2020 election
 - 11,690 are over 65 AND voted in the 2020 election
 - 18 have non-US mailing addresses
 - 370 individuals matched to DPS records indicating homebound status or disabled veteran status.

VIII. Summary of Results

- 112. To comply with the identification verification requirements in SB 1, registered voters who have a DPS ID are instructed to record their ID number on a mail ballot application and again when submitting a mail ballot. If they do not have an ID number, they must record their SSN4.
 - a. 276,405 registered voters are not listed in TEAM with a DPS ID, but they do have a DPS ID. These individuals are instructed to list their DPS ID, but when they do so, their ballot or ballot application will be rejected.
 - i. Of these, **155,583** are over 65 years old, **59,567** of whom voted as recently as the 2020 general election.
 - ii. Of these, **1,155** have overseas addresses or are listed as disabled veterans or as homebound citizens.
 - b. **2,213,676** individuals who are listed on TEAM with an associated DPS ID have more than one DPS ID Number. If they happen to write down a DPS ID number

that is correct but is not the DPS ID number recorded in TEAM, their ballot or ballot application will be rejected.

- i. Of these, **189,699** are over 65 years old, **114,129** of whom voted as recently as the 2020 general election.
- ii. Of these, **5,585** have overseas addresses or are listed as disabled veterans or as homebound citizens.
- c. **44,444** individuals have SSN4s listed in their TEAM records that do not match the SSN4s listed in the DPS database.
- d. At least 68,190 individuals who are listed on TEAM registration records with a DPS ID Number do not show the same DPS ID Number listed in the DPS database.
- 113. Altogether, over 2.6 million registered voters in Texas (out of 17 million) are at risk of having a mail ballot or mail ballot application rejected due to identification number requirements in SB 1. These numbers do not include individuals who have misplaced or surrendered their IDs or who mis-enter information on a mail ballot form. These 2.6 million individuals can correctly fill out their forms, but their applications and ballots would be rejected nonetheless.

IX. Conclusion

114. The identification number requirements of SB 1 require election officials to reject mail ballots and mail ballot applications from a large number of voters due to limitations and errors in the state's record-keeping practices rather than due to any limitations or oversights on the part of eligible voters. Texas's databases are simply not well-suited to SB 1's demands. The law demands that those who have a DPS ID

list the ID number on mail ballot applications. Yet, many of these ID numbers are not stored by Texas on its voter registration records. The law demands that some registrants include social security number information. But the state database has tens of thousands of typos in its recording of Texans' social security numbers. The database has even more typos in its recording of Texans' DPS ID Numbers. The law demands that voters list one of their DPS ID numbers when applying for a mail ballot, but millions of voters have more than one DPS ID number, and election official are only able to validate one of them.

the demands of SB 1 results in election officials delaying and/or preventing citizens from casting ballots who follow all the rules and are eligible to vote by mail. As I have shown, over 2.6 million Texans can follow all the rules and instructions set forth by SB 1 when applying for, or submitting, an absentee ballot, and they still face a substantial risk that their applications and ballots will be rejected. Those affected include Texans living overseas, disabled veterans and homebound citizens living at home, plus over 350,000 senior citizens.

I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct to the best of my knowledge.

DATED this 28th Day of February, 2022.

Eitan Hersh

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Books

Eitan Hersh. The Golden Rulers: Business, Wealth, and Civic Leadership in America. Current book project, in development.

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Teaching

"Information, Technology, and Political Power"

"U.S. Elections: Rules, Strategies, Outcomes"

"Advanced Seminar on U.S. National Elections"

"The Flow of Power: Civic Journalism"

Awards & Fellowships

Emerson Collective Fellowship, 2022

Grant for Antisemitism study, Klarman Family Foundation and One8 Foundation, 2020

Best Book in Information, Technology, and Politics, APSA, 2016

Pi Sigma Alpha award for best paper presented at MPSA, 2013

MPSA Emerging Scholar award, 2013

Referee Service

American Journal of Political Science American Political Science Review, American Politics Research, American Sociological Review, British Journal of Political Science, Economics and Politics Election Law Journal, Electoral Studies, Journal of Elections, Public Opinion and Parties Journal of Experimental Political Science, International Journal of Public Opinion Research, Journal of Politics, Journal of Urban Affairs Legislative Studies Quarterly, Political Analysis, Political Behavior, Political Psychology, Political Research Quarterly, Political Science Research and Methods, Politics and Governance, Proceedings of the National Academy of Sciences, PS: Political Science and Politics, Public Opinion Quarterly, Research and Politics, Review of Economics and Statistics, State Politics and Policy Ouarterly.

Invited Talks

I have given presentations at annual meetings of the American Political Science Association, Midwest Political Science Association, and Society for Political Methodology.

I have given invited talks at Boston University, BYU, Columbia, Chicago, Dartmouth, Harvard, Harvard Kennedy School, Harvard Medical School, McGill, MIT, NYU, UCLA, University of Massachusetts-Amherst, Michigan, UNC, UPenn Annenberg School, Princeton, Stanford, Stanford Law School, Washington University-St. Louis, Yale, and Yale Law School.

Consulting & Service

Editorial Board, Election Law Journal, 2020-

Academic Advisor, Free Expression Survey, Knight Foundation, 2021-2022.

Academic Advisor, Antisemitism Survey, Anti-Defamation League, 2021-2022.

Member, Brookline, MA, Select Board's Taskforce to Reimagine Policing, 2020-2021

Academic Advisor, 100 Million: Nonvoter Study, Knight Foundation, 2019-2020.

Witness, United States Senate Committee on the Judiciary, May 16 2018

(Facebook/Cambridge Analytica scandal)

Commissioner, Commission on Youth Voting and Civic Knowledge, CIRCLE, 2012-14

Statistical Consultant, Texas v. Holder (Voter ID case)

Statistical Consultant, Veasey v. Perry (Voter ID case)

Expert, Judicial Watch, et al v. King, et al, Indiana Voter Registration Case

Expert, Fish v. Kobach, Kansas Voter Registration Case

Expert, Stringer, et al v. Pablos, Texas Voter Registration Case

Expert, United States v. Eastpointe, MI, Voting Rights Act case

Expert, Collins v. Adams, Kentucky Voter ID case

Expert, LULAC of Iowa v. Iowa Secretay of State, Absentee ballot case

Expert, Vote Forward v. DeJoy US Post Office mail ballot case

Expert, Holmes v. Moore North Carolina Voter ID case

Exhibit 2

Supplement to

Report on Identification Number Requirements for Mail Balloting under SB 1

United States v. Texas

United States District Court for the Western District of Texas

Eitan Hersh Associate Professor Department of Political Science Tufts University Medford, MA

May 4, 2022

I. Abstract

- 1. Since I filed my expert report on February 28, 2022, I have received updated Department of Public Safety (DPS) data and updated voter registration (TEAM) data from the State of Texas. I have also received a rebuttal to my report written by Dr. Mark Hoekstra. Finally, I have received voter history information from the March 1, 2022 Texas primary, the first election that was administered under the identification verification rules set forth by Senate Bill 1 (SB 1).
- 2. In this supplemental report, I re-run the main analysis conducted in my February report with the updated DPS and TEAM data. Then, I respond to the main points raised by Dr. Hoekstra. Lastly, I conduct a new analysis of data from the March 1 primary.
- 3. My key findings are as follows:
 - a. In spite of the passage of several months of time that might have allowed databases to be updated and identification issues to be resolved, my updated analysis finds that over 1 in 7 Texas registered voters can submit a mail ballot application and/or a mail ballot in perfect accordance with SB 1 and yet election officials must reject the voters' forms.
 - Tens of thousands of registered voters are listed with typos in the
 DPS ID numbers and/or Social Security Numbers on the databases
 maintained by election officials.
 - Hundreds of thousands of individuals who have valid DPS IDs are not listed in election records with these ID numbers.
 - Over two million individuals have multiple DPS IDs, while only one of the numbers is listed by election officials.

Altogether, over 2.7 million out of 17.3 million registered voters could fill out a mail ballot form correctly and have it rejected due to one or more of these circumstances. This population includes many Texans over 65-years-old, Texans who are homebound and disabled veterans, and active-duty members of the military and their families.

b. Following this update to my analysis, I address critical flaws in the rebuttal report of Dr. Hoekstra. I explain how Dr. Hoekstra's framework for analyzing the effects of SB 1 (i.e., estimating the typical number of voters who will be burdened in any given election) is inappropriate. Using data from the March 2022 primary election, I also show how Dr. Hoekstra's analysis is wrong even on his own terms of evaluation. Whereas Dr. Hoekstra argues that "the likely burden on the...registered voters who will either have to cure their ballot or vote in person as a result of SB 1 is likely minimal, and quite possibly zero," I find that the vast majority of Texans whose mail ballots were rejected due to SB 1 in March 2022 did not end up voting at all, either by mail or in person.

II. Updated analysis using new versions of DPS and TEAM databases

A. Databases

4. <u>DPS</u>. The updated DPS database I received is dated March 13, 2022. The database contains 36,417,304 records, an increase of 189,485 (0.5%) records from the January 2022 version of the file I analyzed in my main report. As in the version previously analyzed, the March version of the data has complete or nearly complete records in all fields of interest (e.g., name, date of birth, address, gender) except that 5% of records are

- not populated with Social Security Numbers, which was also the case in the January data.

 Table 1 below updates Table 1 of my main report with the new data.
- 5. The March update to the DPS database contains an additional field that was not previously made available to me: "Card Status." The status field is populated with a variety of codes. Of relevance here is a code named "Voluntary Surrender," which may indicate that the ID holder does not possess a physical identification card with that ID number listed on it. Without a physical identification card, it may be difficult for a person to access their ID number and write it on a government form.

TABLE 1: Rate of Missing Information in DPS

Missing SSN	4.98%
Missing unique SSN9	28.65
Missing First Name	0.00
Missing Last Name	0.00
Missing Birthdate	0.00
Missing M/F Gender	0.00
Missing Street Number	0.03
Missing Zip Code	0.00
TOTAL IN DATABASE	36,417,304

6. <u>TEAM</u>. The updated version of TEAM records is dated April 21, 2022. In the TEAM data, each county's records are stored in a different file. Registered voters can be listed on many lines within a county file. For instance, Texas counts 29,128 registered voters in Anderson County as of March 2022. In the April TEAM export I received, there are

¹ At the time that I received the March DPS data, I also received an updated version of the TEAM data. That export was dated April 5, 2022. Upon inspection, that export from TEAM excluded several million registered voters. I alerted counsel to this problem, and I was soon supplied with a new export, dated April 13, 2022. Upon inspection, this second export of TEAM again excluded several million registered voters. I alerted counsel again and received the April 21 export on April 25. I do not expect the difference in time between when the DPS export was executed and when the corrected TEAM export was executed affects any of the substantive findings or conclusions in this report.

² https://www.sos.state.tx.us/elections/historical/march2022.shtml

261,644 rows of registrants in Anderson County. Different rows show different interactions that registrants have had with the election system. For each county file, I processed the data so that each person, represented by their Voter Unique Identification Number (VUID), is listed one time. Specifically, I observed the dates labeled "ballot_last_updated" and retained the most recent date for each registrant. I also retained registrants who had no date listed in this field. If there were registrants with multiple records but only one of the records listed a Social Security Number (SSN) or DPS ID Number, I retained the record with those identifiers. I retained the fields of interest (e.g., name, address, date of birth, and so forth) and combined the 254 county files into a single file. I then identified individuals who had records in multiple county files. I kept only one record for each of these individuals, again ensuring to retain a record with an SSN or DPS ID if only one of the records contained these identifiers.

7. After the de-duplication process, the April TEAM file consists of **17,330,189** records. I sought to confirm that this number is close to the state's official reporting. According to the Secretary of State's website, as of March 2022, there were **17,183,996** registered Texas voters. Given the typical fluctuation in registration numbers and the fact that the April 21 records were pulled several weeks after the publicly reported numbers were calculated, a difference of less than 1% suggests the data I have been given by the state is consistent with the state's publicly reported information.

B. Data Quality Checks in the TEAM Voter Records

8. I performed the same set of data quality checks as described in my initial report. Tables 2 and 3 offer summary statistics on key fields of interest. There are slightly fewer records listed with Social Security Numbers and slightly more records listed with DPS ID

Numbers. Specifically, whereas 2.34% of records in TEAM were missing an SSN in the January data, 2.52% of records are missing an SSN in the April data. Whereas 3.16% of records in TEAM were missing a DPS ID Number in the January data, 2.85% of records are missing a DPS ID Number in the April data.

- 9. The numbers are all similar to the January data, with the exception of the address fields. Whereas less than 1% of records in the January file were missing values for street number and zipcode, over 20% of the records in the April file are missing this information. The absence of address information is concentrated in registration records that also have a blank "ballot last updated" field.
- 10. The difference in the address fields may be attributable to the fact that state supplied me with a different format of the database in April than in January. Ultimately, it is not clear to me why the state's April records show so many voters with missing address information. However, as my methodology uses information other than address information (e.g., name and birthdate, SSN), I can proceed to update the analysis from my prior report with the March and April data. And, indeed, the overall results are very similar in this supplementary report as in my initial report.

TABLE 2: Rates of Missing Information in TEAM

2.52%
6.25
0.00
0.00
0.07
3.73
22.57
22.56
17,330,189

TABLE 3: Summary of Field Completeness in TEAM

TOTAL Records in TEAM analysis	17,330,189	
Records with unique SSN9	16,246,791	93.75%
Records with SSN4	16,893,085	97.48
Records with DPS ID Number	16,836,041	97.15
Records lacking SSN4 and DPS ID No.	105,536	0.61

C. Methodology

11. The methodology employed is the same as in my initial report. See Paragraphs 50-73 in that report for a detailed explanation. My goal is to look up each registered voter in the DPS database and determine if the registered voter has one (or more) DPS ID Numbers listed, and to see if there are typos or other inconsistencies between the DPS ID Numbers and SSN4s listed on TEAM versus those listed on the DPS Database. I create three linkage fields to connect the TEAM and DPS databases together. The first field is the nine-digit Social Security Number (SSN9). The second field is the combination of name (First and Last) and date of birth. I call this linkage field "ND" for Name + Date of Birth. The third field, a combination of Address (Street Number and Zipcode) + Date of Birth + Gender, I call "ADG". Table 4 (a replica of Table 6 from my previous report) illustrates the three linking fields with an example of a fictional registered voter named John Smith.

TABLE 4: Summary of Fields Used in Linking TEAM Database to DPS Database

Field Name	Explanation	"John Smith" example
SSN9	9-digit social security number	"123-45-6789"
ND	First name + Last name + Date of birth	"JOHNSMITH1977-07-04"
ADG	Address + Date of birth + Gender	"655782051976-07-04M"

12. As in the main report, in addition to calculating statistics for the whole population of registered voters, I also look at several subpopulations. In the prior report, I observed a.)

registered voters over age 65, b.) 2020 general election voters, c.) voters with overseas mailing addresses, and d.) individuals marked in the DPS database as homebound or disabled veterans. In this report, I again investigate registrants over 65, registrants who voted in 2020, and registrants who have homebound/disabled veteran statuses. Instead of looking at voters with overseas mailing addresses (a population that may contain members of the armed forces and military families), I investigate registrants who are listed with specific codes in TEAM signaling that they have applied for Federal Post Card Application (FPCA) registration forms, which are voter registration forms used by members of the military, their families, and Americans who are residing overseas. I refer to these as FPCA voters. Finally, I also investigate the subpopulation of registrants who match to DPS records indicating that their licenses have been "voluntarily surrendered."

D. Linkage Part I: TEAM Records with missing DPS ID Numbers

- 13. I divide the analysis into two parts. First, I examine individuals whose TEAM records do not show any DPS ID Number. Second, I examine individuals whose TEAM records do show a DPS ID Number.
- 14. Out of 17,330,189 records in TEAM, 494,148 do not have a DPS ID Number listed in the voter registration records. If any of these individuals actually has a DPS ID Number, they are instructed by the mail ballot application forms to include that DPS ID Number (and *only* that identification number). But SB 1 requires that these forms the application and the ballot carrier envelope to be rejected because the DPS ID Number is not listed within registration records.

TABLE 5: TEAM records by Presence/Absence of Unique SSN9 and DPS ID

Number

Unique SSN9				
		Present	Absent	TOTAL
DPS ID	Present	16,144,007	692,034	16,836,041
Number	Absent	102,784	391,364	494,148

- 15. I link the 494,148 individuals who do not have DPS ID Numbers recorded in TEAM to the DPS database using the SSN, ND, and ADG linkage fields that are described in Paragraph 11 above.
- 16. I first link by SSN9. Of the 494,148 individuals without a DPS ID Number, 102,784 have a unique SSN9 listed (as noted in Table 5). Of those, 73.33% match to the DPS database by their SSN9. A total of 66.76% of the records match to a single DPS ID Number, and 6.56% link to multiple DPS ID Numbers.
- 17. I next link these individuals based on ND. As noted in Table 5, most individuals who lack DPS ID Numbers on TEAM also lack an SSN9. However, nearly all of the records have a unique ND combination. Of the 494,148 lacking a DPS ID Number on TEAM, 482,787 (97.7%) have a unique ND. Of those who have a unique ND, 25.81% match to a single DPS record and 4.58% match to multiple DPS records.
- 18. I next link these individuals based on ADG. Of 498,148 records lacking a DPS ID Number on TEAM, 231,002 (46.74%) have a unique ADG. Recall that many more records in the April TEAM data are missing address information than in the January data. ADG is the only linking field that makes use of address information. Of those with a unique ADG, 38.98% match to a single DPS record and 3.85% match to multiple DPS records.

TABLE 6: Results of Linking TEAM to DPS Records for TEAM Records without a DPS ID Number listed

	No Match to DPS	Single Match to DPS	Multiple Match to DPS	Attempted to Match
SSN9	26.67%	66.76%	6.56%	102,784
ND	69.61	25.81	4.58	482,787
ADG	57.16	38.98	3.85	231,002
Any	57.00	37.39	5.58	486,421

- 19. Table 6 summarizes the analysis of records that do not have a DPS ID Number listed on the TEAM voter file. Each of the first three rows summarizes a linkage between TEAM and DPS based on SSN9, ND, and ADG, respectively. For instance, the first row shows that I attempted to match 102,784 records in TEAM based on SSN9. This reflects the number of TEAM records without a DPS ID Number that include a unique SSN9. Of those, 26.67% did not match to DPS. The others did match.
- 20. The bottom row of Table 6 provides the overall summary for the TEAM records lacking a DPS ID Number. Of the 494,148 total records lacking a DPS ID Number, I attempted to link 486,421 (97.65%) to the DPS database. (The other 2.35% did not have a unique or complete value for SSN9, ND, or ADG). Of the individuals I attempted to find on DPS, 43% matched to a DPS record. That amounts to 209,137 registered voters. These individuals possess a DPS ID Number and therefore are instructed by Texas's mail ballot forms to list their DPS ID Number (and only their DPS ID Number) on their mail ballot application. However, if they follow those instructions and list only that DPS ID Number, SB 1 requires their ballot applications, and their ballots, to be rejected because the number is not listed on TEAM.

- 21. <u>Subpopulations</u>: Of the 209,137 individuals who match to DPS and have a DPS ID Number even though no such number is listed on TEAM,
 - 83,622 are over age 65
 - 66,001 voted in the 2020 election
 - 32,252 are over 65 AND voted in the 2020 election
 - 1,574 have FPCA statuses
 - 378 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers show that many active voters who are eligible to vote by mail under

Texas law are listed in TEAM without DPS ID Numbers but do in fact possess DPS ID

Numbers.

22. Typos in Social Security Number. Among registrants who lack a DPS ID Number recorded on TEAM but who match to a record in DPS based on ND or ADG, I compare the SSN4 as recorded on the two databases. I find that 3,015 individuals who appear on both databases have discrepancies in their SSN4s. If the DPS records of SSN are correct, then these 3,015 cases result from inaccuracies on TEAM. They would cause election officials to reject mail ballot forms from citizens who include their correct SSN4 on the forms.

E. Linkage Part II: TEAM Records Listed with DPS ID Numbers

23. I now turn to the analysis of the 16,836,041 records in which a DPS ID Number is listed in the TEAM databases. As noted above in Table 5, 95.9% of these records have a unique SSN9 associated with them. I first link these records to DPS by matching on SSN9. Of

- 16,144,007 records with a unique SSN9 on TEAM, 99.53% match to a record in DPS. However, 16.03% of the records match to more than one DPS ID Number.
- 24. Next, I link records based on the ND combination, as described in Paragraph 11 above.

 The ND combination is unique for 16,669,651 individuals who have a DPS ID Number listed on TEAM. Of these, 97.36% match to a record in DPS. However, 15.61% match to more than one DPS ID Number.
- 25. Next, I link records based on the ADG combination, as described in Paragraph 11 above. The ADG combination is unique for 12,662,154 individuals who have a DPS ID Number listed on TEAM. Of these, 80.74% match to a record in DPS. However, 7.91% match to more than one DPS ID Number.

TABLE 7: Results of Linking TEAM to DPS Records for TEAM Records with a DPS ID Number listed

	No Match to DPS	Single Match to DPS	Multiple Match to DPS	Attempted to Match
SSN9	0.47%	83.49%	16.03%	16,144,007
ND	2.64	81.75	15.61	16,669,651
ADG	19.26	72.83	7.91	12,662,154
Any	1.17	84.57	14.25	16,787,046

26. Table 7 summarizes the analysis of records with a DPS ID Number on the voter file.

Consider the bottom row. Of the 16,836,041 records in TEAM listed with a DPS ID

Number, I attempted to link 16,787,046 (99.70%) of them to the DPS database. The

remaining 0.30% did not have a unique or complete record on SSN, ND, and ADG. Of

these 16,787,046 records, 98.83% matched to a record in DPS. However, many of them

are listed more than once on DPS, with multiple ID numbers. These 14.25% of records

sum up to 2,392,733 records. That is, for 2.4 million Texas registered voters who have a

- DPS ID Number listed, they may put a correct DPS ID Number on their mail ballot application form but nevertheless have their application (or their ballot envelope) rejected because the DPS ID Number they write down, while correct, happens not to be the DPS ID Number recorded on the TEAM file.
- 27. The 2.4 million figure may be an underestimate. Many DPS ID holders are listed not just with one DPS ID Number but they have alternative ID numbers stored as "AKA DL/ID Numbers." Of the TEAM records that linked to a *single DPS ID Number*, 1,421,849 of them linked to a record that listed alternative ID numbers in the "AKA DL/ID Number" field. During her April 20, 2022 deposition, Sheri Gibson, chief of the Texas DPS driver's license division, explained that these AKA DL/ID numbers are identification numbers associated with the ID holder that are either erroneous or originate from a prior version of the state's license system. If registrants use these alternative identification numbers when submitting a mail ballot application or mail ballot, they will also have their forms rejected because the AKA DL/ID Numbers are not the identification numbers on the voter registration records that are associated with these registrants. However, if these ID Numbers are considered by DPS to be erroneous or otherwise invalid (i.e., not just "expired," which does not impact validity for SB 1 purposes), the implications for SB 1 are unclear to me. Accordingly, in order to perform a conservative analysis, I focus here on registered voters who have multiple DPS ID Numbers exclusive of the AKA DL/ID Numbers.
- 28. <u>Subpopulations</u>: Of the 2,392,733 individuals who match to multiple DPS ID Numbers,
 - 166,035 are over age 65
 - 1,060,944 voted in the 2020 election

- 82,575 are over 65 AND voted in the 2020 election
- 1,344 have FPCA status
- 4,134 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers show that many active voters who are eligible to vote by mail under

Texas law are listed in TEAM with a DPS ID Number but possess multiple DPS ID

Numbers. If they list a DPS ID Number other than the one that happens to be recorded in

TEAM, SB 1 requires their mail ballot forms to be rejected.

- 29. Typos in Social Security Number. Looking just at the last 4 digits of social security numbers, I calculate the number of individuals in TEAM who match to records in DPS based on ND and ADG, but whose TEAM records show a different SSN4 than is shown on DPS. There are 41,900 individuals who appear on DPS with different SSN4s than shown on TEAM. If the DPS database is correct and these individuals mark down their correct SSN4 on a mail ballot application, then their application will be rejected because of incorrectly recorded data in TEAM.
 - a. <u>Subpopulations</u>: Of the 41,900 individuals whose SSN4s listed on TEAM do not match the SSN4s listed in the DPS database
 - 14,991 are over age 65
 - 27,247 voted in the 2020 election
 - 10,121 are over 65 AND voted in the 2020 election
 - 101 have FPCA status
 - 88 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers show that many active voters who are eligible to vote by mail under

Texas law are listed in TEAM with an SSN4 that is inconsistent with the SSN4 listed in
the DPS database.

- 30. Typos in DPS ID Numbers. Just as there are discrepancies between the SSNs listed in TEAM and the corresponding SSNs listed in DPS, there are also discrepancies in DPS ID Numbers. Using the methodology for calculating these discrepancies that was explained in my previous report, I calculate that 74,897 individuals do not have a DPS ID Number in TEAM that matches any DPS ID Number in DPS.
 - a. <u>Subpopulations</u>: Of the 74,897 individuals on TEAM who match to DPS on SSN9, ND, and ADG, but do not have DPS ID Numbers that correspond to the DPS database,
 - 15,835 are over age 65
 - 31,781 voted in the 2020 election
 - 9,475 are over 65 AND voted in the 2020 election
 - 83 have FPCA status
 - 342 individuals matched to DPS records indicating homebound status or disabled veteran status.
- 31. <u>Voluntary surrender</u>: Out of 36.4 million DPS records, 2,881,780 have a designation of "voluntary surrender." I isolated a subset of the DPS records to just the ones listed with the "voluntary surrender" status and I matched the TEAM records based on SSN, ND, and ADG to these DPS records. I find that 1,704,499 current registered voters match to a "voluntary surrender" ID Number.

- 32. Most of these 1.7 million registrants seem to have other DPS IDs that are not surrendered. After matching the TEAM records to surrendered DPS IDs, I checked to see if the DPS ID number listed on the voter file matches to the surrendered ID Number listed in DPS. In 1,487,008 cases (87.24%), the current registered voter has a different ID number listed than the surrendered ID.
- 33. The other 217,491 do not have a different DPS ID Number. For the 217,491 registered voters who match to a DPS ID record for which the TEAM database shows the same DPS ID Number as a surrendered license, these Texans might be at risk of not being able to provide the ID Number that election officials have on file.
- 34. However, DPS's Sheri Gipson explained in her deposition that the "voluntary surrender" status designation is not a reliable indicator of whether a person is in physical possession of the card that lists the associated identification number. In some cases but not in all cases Texans who have "voluntary surrender" status may have physically surrendered the card during a surrender transaction. They also may or may not have disposed of the card once it was no longer valid. Therefore, I cannot confidently use this designation in counts of individuals who may be affected by SB 1. Instead, I treat all DPS ID Numbers associated with registered voters to be valid numbers for the purpose of identification verification under SB 1. However, if hundreds of thousands of individuals have a DPS ID Number listed on TEAM records that is associated with a license that they potentially cannot access because it has been physically surrendered or discarded, this likely increases the problems associated with SB 1.

F. Summary of Results from Updated Analysis

- 35. To comply with the identification verification requirements in SB 1, registered voters who have a DPS ID are instructed to record their ID number on a mail ballot application and again when submitting a mail ballot. If they do not have an ID number, they must record their SSN4. The analysis from the updated TEAM and DPS files show the following:
 - a. **209,137** registered voters are not listed in TEAM with a DPS ID, but they do have a DPS ID. These individuals are instructed to list only their DPS ID, but if they do so, their ballot or ballot application will be rejected.
 - i. Of these, **83,662** are over 65 years old, **32,252** of whom voted as recently as the 2020 general election.
 - ii. Of these, **1,952** have FPCA status or are listed as disabled veterans or as homebound citizens.
 - b. 2,392,733 individuals who are listed on TEAM with an associated DPS ID have more than one DPS ID Number. If they happen to write down a DPS ID number that is correct but is not the DPS ID number recorded in TEAM, their ballot or ballot application will be rejected.
 - i. Of these, **166,035** are over 65 years old, **82,575** of whom voted as recently as the 2020 general election.
 - ii. Of these, **5,478** have FPCA status or are listed as disabled veterans or as homebound citizens.
 - c. **44,915** individuals have SSN4s listed in their TEAM records that do not match the SSN4s listed in the DPS database.

- d. At least 74,897 individuals who are listed on TEAM registration records with a DPS ID Number do not show the same DPS ID Number listed in the DPS database.
- 36. Altogether, over 2.7 million registered voters in Texas (out of 17.3 million) are at risk of having a mail ballot or mail ballot application rejected due to identification number requirements in SB 1. These numbers do not include individuals who have misplaced or surrendered their IDs or who mis-enter information on a mail ballot form. These 2.7 million individuals can correctly fill out their forms, but their applications and ballots would be rejected nonetheless.

III. Response to Dr. Hoekstra

37. Dr. Mark Hoekstra's rebuttal report of March 29, 2022 does not challenge my database matching technique or the numbers derived from this technique. Rather, he challenges the interpretation of these numbers and the application of the technique to the questions raised in this case. Unfortunately, Dr. Hoekstra's interpretations and assumptions suffer from a number of serious flaws. I will address four key problems in his analysis.

A. Measuring Burdens

38. Dr. Hoekstra approaches this case by asking whether SB 1 makes absentee voting substantially burdensome such that it affects the overall rate of voting in Texas elections. I do not believe this is the right question. Texas law grants certain voters the right to vote by mail. As I have shown, citizens who are fully qualified by Texas law to vote by mail will have their applications and mail ballots rejected because the state's records do not actually allow officials to verify voters' personal identification in the way SB 1 requires.

The fact that so many Texans, including elderly and disabled citizens and members of the military, can fully comply with the law but will nevertheless have ballots rejected seems problematic. Whether Texans who are denied the ability to vote by mail can learn about the rejection and make other arrangements in time to vote in person on Election Day, thus "curing" the problem, is worth considering, and I address it below. But the fact that SB 1 requires the rejection of mail ballot materials is a problem, even if voters still manage to find a way to vote.

- 39. However, even if one believes, as Dr. Hoekstra asserts, that the main question here is about whether SB 1 will affect turnout rates, Dr. Hoekstra's analysis is flawed because it relies on evidence that is irrelevant to the issues surrounding SB 1. All of Dr. Hoekstra's tables and figures are copied-and-pasted from an article about mail voting and turnout rates that was published in 2021 in *Science Advances*. That article, written by Professor Andrew Hall and his students, is first-rate. I assign it to my own students in my course on elections. One of its main findings is that 64-year-olds and 65-year-olds in Texas voted at the same rate (but using different voting methods) in years prior to the adoption of SB 1. The article does not deal with the question of what happens when new burdens, such as identification verification requirements, are introduced to voters.
- 40. Dr. Hoekstra views the comparison between 64-year-olds and 65-year-olds as a test for how burdens on mail voters *in general* affect overall turnout. For 64-year-olds, Dr. Hoekstra views the burden as high. After all, in Texas, a 64-year-old needs an excuse, such as they are out of town or sick, in order to cast a ballot by mail. But 65-year-olds can choose to vote absentee by mail without a specific reason, so their burden to vote by

³ Dr. Hoekstra incorrectly identifies the journal in which this article is published. The article "How did absentee voting affect the 2020 U.S. election?" was published in *Science Advances*, not *Science*.

mail is low. Dr. Hoekstra reasons that if 64-year-olds and 65-year-olds have the same turnout rates in 2020, as Dr. Hall's research shows, then burdens on mail voters *in general* do not affect turnout. As Dr. Hoekstra puts it, "it is implausible to believe that the much more moderate limitations on absentee voting enacted by SB1 would reduce turnout."

- 41. To understand why Dr. Hoekstra's reasoning is flawed, just consider how easy it is for a Texan to anticipate if they will be at least 65 years old on Election Day. In contrast, consider how difficult it is for a Texan to anticipate if they will have a problem voting by mail due to SB 1. They would have to think: "Do election officials have my DPS ID Number on record? Is my DPS ID recorded with a typo in state records? I have more than one DPS ID, which one do officials have on record? Do officials have my Social Security Number on record? Is there a typo in that record?"
- 42. The contrast in how easy it is to answer the question of how old one is compared to the difficulty in answering the questions about SB 1 protocols illustrates why Dr. Hoekstra's comparison of the burdens of SB 1 relative to the burdens of mail balloting prior to SB 1 is inapt. Baked into the similarity in overall turnout between 64-year-olds and 65-year-olds in 2020 (and earlier years) is an awareness on the part of each age group whether they qualified to vote by mail. If they did not qualify by age, they knew they would have to vote in person or offer a valid excuse. They could plan accordingly. But with SB 1, it is likely that many registrants do not know if their identification information matches information held by election authorities. They won't know whether they will get caught up in delays and ballot rejections until they are in the midst of the process of trying to vote by mail. They won't know how quickly, or how close to Election Day, it will be

before they are advised by election officials of a problem with their materials. And, as I'll show below, by that point it is often too late for the voter to be able to correct the problem.

43. In analogizing the burdens on mail voting before SB 1 to those created by SB 1, Dr. Hoekstra misjudges the issues involved in this case. The burdens of SB 1, particularly the burdens created by faulty and incomplete state records that lead to uncertainty on the part of a voter of how and whether they can comply with SB 1, are categorically different than the burdens of mail voting related to simple and clear rules such as age-based eligibility.

B. Dr. Hoekstra's Mischaracterization of a "Simulation"

- 44. Dr. Hoekstra repeatedly refers to my analysis as a "simulation," which is a mischaracterization of the research. In Dr. Hoekstra's strawman interpretation, he supposes that I am "simulating" an election held under SB 1 and then estimating that 1 in 7 voters will be affected in that election. This number is preposterous, argues Dr. Hoekstra, because it requires "rather extreme assumptions," such as that everyone in Texas attempts to vote by mail, "a set of potential absentee voters that is vastly larger than anything seen in Texas history." I agree it would be preposterous to assume every Texas voter would attempt to vote by mail in a single election, but I do not make that assumption in my research.
- 45. My analysis is not a "simulation" of how many voters are likely to be affected by SB 1 in any given election. Rather, the analysis shows how many Texans could run into trouble if an election was approaching and they wanted or needed to cast a ballot by mail. In the first paragraph of my report, I explain that 1 in 7 Texans "can submit a ballot application

- as well as a ballot itself in perfect accordance with the state's instructions under SB 1,
 and yet Texas election officials must still reject the voters' forms."
- 46. In rebutting an argument that I never made, Dr. Hoekstra's report misses the mark.

 Consider the voters under 65 in Texas. Some may get sick. Some may become disabled.

 Some may expect a baby to come within a few weeks of Election Day. Some may get called out of town for work or for a family obligation. Some may be members of the military who are called overseas. If we were to "simulate" how many Texans would fall into these categories in any specific election, the number would likely be modest. But in any given election cycle, it is impossible to anticipate which specific Texans are going to be sick or out of town, or become disabled, or expectant of a baby, or called overseas. So, the question I answered in my report is how many Texans, should they suddenly fall into these categories and therefore become eligible to vote by mail, might have their mail ballot materials rejected.
- 47. To offer an analogy, suppose a hospital in Texas has medical records for 17 million citizens. But for 2.6 million of these people, the records are incomplete or incorrect. If one of these 2.6 million Texans comes into the hospital to receive treatment, they could face a delay in care or, worse, they could be denied medical care altogether. How big of a problem are the faulty medical records? Well, since only a small fraction of the public will come sick to the hospital in any one year, an analyst *could* treat the record-keeping issues as a small problem. Dr. Hoekstra's reasoning is akin to the view that few people use the hospital each year, so the faulty records are not a serious problem. Plus, in his line of reasoning, sick patients could always try to find another hospital. My read of the situation is different. Since any one of these 2.6 million people could come to this

hospital in any year, the fact that the hospital's records are incomplete or incorrect for so many people creates a broad risk to the public.

C. Mail Voters Including DPS IDs and SSNs in SB 1 Forms

- 48. Dr. Hoekstra's report advances an argument that a narrowly-distributed set of guidelines to voters should be taken more seriously than the plain text of SB 1 and SB 1's implementation materials.
- 49. Texas's mail ballot application states clearly the circumstances under which voters should list the last four digits of their social security number (SSN4) on the form: voters are instructed to list their social security number only if they do not have a driver's license number or other DPS identification number. The ballot application states, "If you do not have a Texas Driver's License, Texas Personal Identification Number or a Texas Election Identification Number, give the last 4 digits of your Social Security Number." This exact same language is printed on the carrier envelope used for submitting a mail ballot. The language in the text of SB 1 is similar: "...if the applicant has not been issued a number described by Paragraph (A) [a DPS ID number], the last four digits of the applicant's social security number."
- 50. In my original report (footnote 4), I explain that the Texas Secretary of State has issued guidance that encourages voters to include both a DPS identification number and an SSN4 on these documents, if they have both. However, because that guidance is not conveyed in SB 1, on the carrier envelopes that most Texans must use, or on the mail ballot applications issued by the Secretary of State, my analysis does not presume that voters will follow the Secretary's guidance.

- 51. Dr. Hoekstra considers this a "serious flaw" in my analysis. On multiple occasions in his rebuttal report, he draws attention to a February 16, 2022 press release and video message in which Secretary of State John Scott recommends that voters write down on mail ballot forms both their SSN4 and their DPS ID Number. Dr. Hoekstra writes, "A more credible analysis would assess the extent to which voters who could encounter a problem write down both numbers, as recommended by the Secretary of State."
- 52. The text of Secretary's Scott press release summarizes the language of the mail ballot materials and the text of SB 1.4 A voter must record their DPS ID Number, "OR if you have not been issued one of the above numbers, the last 4 digits of your Social **Security Number.**" Further down on the webpage, however, and in contrast to the language just quoted, the press release continues, "You may put both numbers in the spaces provided on your ABBM and Carrier Envelope."
- 53. The Secretary's website directs readers to a YouTube video statement by the Secretary of State. On the video, the Secretary articulates his recommendation that registrants include both the SSN4 and DPS ID on the mail ballot forms, even though both are not required.
- 54. The Secretary's message was released approximately two weeks before the March 1, 2022 election. In an election season involving 15 million nonvoters and 3 million voters (including over 150,000 mail voters), the Secretary's video message has been viewed a total of 676 times, as of April 27, 2022. That View Count includes three views by me, and probably dozens, if not hundreds, of views by other experts such as Dr. Hoekstra, by lawyers, and by government officials. In short, it appears that few ordinary Texas voters have viewed Secretary of State Scott's message.

⁴ https://www.sos.state.tx.us/about/newsreleases/2022/021622.shtml

55. On the one hand, then, we have the text of SB 1 and the text of the standard mail ballot request form and the text of the carrier envelope, all of which say that voters should include an SSN4 only if they do not have a DPS ID number. On the other hand, we have press statements that few have seen but that suggest voters should include both a DPS ID and SSN4 when submitting mail ballot forms. Given the differences in the distribution rates for the differing interpretations of SB 1, I think it is appropriate to assume voters will follow the instructions on the forms that they must fill out rather than the advice of Secretary Scott.

D. Can Voters Correct Problems Caused by SB 1?

- 56. Dr. Hoekstra's next argument is that mail voters whose materials are rejected due to SB 1 can cure the problem and successfully vote either by mail or in person. For this reason, he expects SB 1 would not have a measurable impact on voting rates. Dr. Hoekstra performs no test of this claim. Rather, he supports the claim through the argument, discussed above, that the burdens imposed by SB 1 are smaller than the burdens imposed on 64-year-olds prior to 2021. Since 64-year-olds and 65-year-olds voted at the same rates in 2020, Dr. Hoekstra thinks burdens from SB 1 are "implausible."
- 57. As I will now show, through an analysis of voter data from Texas's March 1 election, Dr. Hoekstra's speculation is clearly wrong. The majority of Texas registrants whose mail ballots were rejected by the state failed to have a ballot counted. In addition to this evidence, I will also provide data to help explain why voters are unable to vote after their ballots are rejected. As is true across the country, mail voters in Texas tend to cast ballots at the end of the election season, sending in their ballot very close to the receipt deadline. Correcting an error requires knowing about an error, and many voters may not submit

mail ballot forms with enough time to learn about an error, particularly if they are not immediately responsive to telephone calls from unfamiliar numbers or emails from unfamiliar senders. A voter who submits a ballot application near the deadline may not learn that the application was rejected due to SB 1 compliance until it is too late to correct it. The next section describes the data and analysis of the March 1 election that advances these claims.

IV. March 1, 2022 Election Analysis

- 58. The April voter file export contains voter history data from the March 1, 2022 primary election, the first election held under SB 1. I restrict my attention here to records with the election date listed as "03-01-2022." Across the counties, 3,164,179 TEAM records have information related to the March 3, 2022 election. Not all of these records appear to be records of successful voters. Some represent individuals whose ballots were rejected or who sought a mail ballot application but never submitted the ballot.
- 59. The database export shows no record of individuals whose mail ballot *applications* were rejected due to SB 1 compliance issues. However, according to the database, 31,107 records are listed with a code for a reason that their ballots for the March 1 primary were rejected. More than 4 in 5 of these (specifically, 25,429 of them, or 82%) are listed with a designation related to the SB 1 law. The designation is for ballots that have "Incorrect or Missing SSN/TDL #." These numbers align fairly closely with Election Director Keith

⁵ I would have analyzed rejected applications if they had been made available to me in the TEAM export. In deposition, Mr. Keith Ingram, director of Texas's Election Division, testified that fields used to track acceptance and rejection of mail ballot applications were included in the export. An Excel spreadsheet labeled STATE057755 shows a code of "IS" under a field of "mail in request reject reason" to indicate "Incorrect or Missing SSN / TDL #." However, while the April TEAM database export does use this code for rejected ballots, it shows no such code for rejected mail ballot applications.

Ingram's April 7, 2022 disclosure indicating a total of 24,636 rejected ballots statewide. Mr. Ingram's report seems to include records of all rejected mail ballots, though, not specifically those associated with incorrect/missing identification numbers. Part of the discrepancy is attributable to the fact that there are some individuals who have multiple rows in the database indicating that ballots were rejected more than one time.

- 60. A key question is how many of the individuals who had their ballots rejected were then able to vote in person or vote by mail following a correction. Dr. Hoekstra asserts that voters can easily substitute in-person voting for mail voting, and because of this, there really is no meaningful burden. Dr. Hoekstra concludes his rebuttal report by saying that "the likely burden on the...registered voters who will either have to cure their ballot or vote in person as a result of SB 1 is likely minimal, and quite possibly zero."
- 61. As I show just below, Dr. Hoekstra's assessment is incorrect. But first, it is worth showcasing that there are instances that are consistent with Dr. Hoekstra's theories. There are voters whose records indicate that they applied for and received mail ballots in early February. But then they seemed to hit a snag. The voter file lists that their ballots were rejected, with a code of "IS", indicating missing or incorrect information in the SSN or DPS ID fields. Fortunately, on other rows in the voter file, the record shows that these same voters, whose mail ballots were rejected, ended up casting ballots in-person on March 1.
- 62. The scenario I just outlined seems to be the kind of story that Dr. Hoekstra has in mind, namely, a voter hit a problem with SB 1 compliance but was then able to vote in person.

 However, these cases represent the minority of impacted voters. Out of 25,429 individuals who had mail ballots rejected on account of missing/incomplete identification

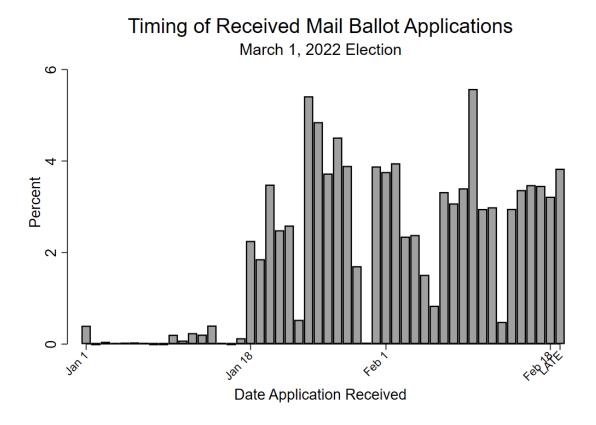
numbers, only 6,509 (25.60%) have records indicating that they cast an accepted mail ballot or voted in person. The remaining 18,920 (74.40%) are recorded as not having cast a vote. That is, 3 out of 4 Texans who had their mail ballot rejected due to SB 1 requirements did not go on to successfully cast a ballot in the election.

63. Dr. Hoekstra did not just argue that few Texans would be affected by SB 1. He argued specifically (paragraph 30) that, *conditional on a registrant having to cure their ballot due to SB 1*, there would be little or no consequence for turnout. However, as just shown with the state's data, among qualified Texans who went through the trouble of applying for and submitting a mail ballot and then had their mail ballot rejected due to SB 1, 3 out of 4 of them ended up not having any ballot counted in the March 1 primary at all.

The Timing of Mail Ballots

- 64. If mail applicants and mail voters have materials rejected, they are supposed to be notified by phone and/or email. But if they are not immediately responsive and/or they submit forms right before the deadline, then it might not be possible for them to cure the problems presented by SB 1. It turns out that many mail voters submit forms very close to the deadline.
- 65. Consider the calendar for the March 1 state primary in Texas. Texans could send applications for a mail ballot as early as January 1, 2022. Applications had to be received by election officials no later than February 18. In the TEAM records, 260,275 registrant records are listed as submitting an absentee ballot application. Figure 1 shows the dates on which those applications were received.

FIGURE 1

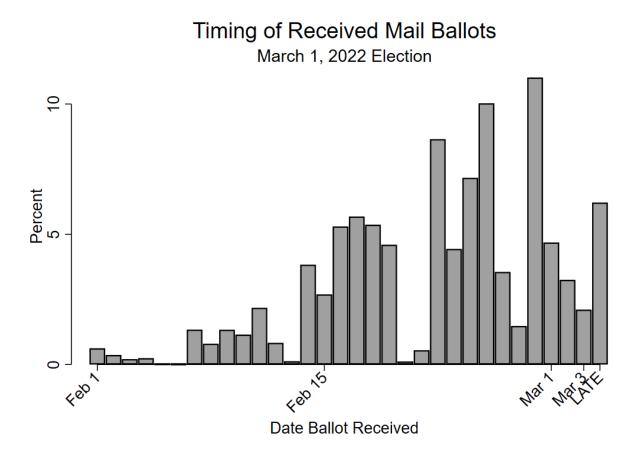


Note: "Jan 1" includes a handful of records that are listed as submitted prior to Jan 1. "LATE" combines all dates after February 18.

66. As Figure 1 shows, out of the 49-day period in which registrants could submit a ballot application, almost no applications were received for the first third of the timespan. Then, starting on January 18, weekdays saw a consistent stream of applications, up until (and, actually, after) the February 18 deadline. In fact, of all the applications that were received before the deadline, 1 in 5 were received in the last week (February 12-February 18).

Another 9,973 applications were received after the deadline.

FIGURE 2



Note: "Feb 1" includes a handful of records that are listed as submitted prior to Feb 1. "LATE" combines all dates after March 3.

67. Figure 2 shows the pattern of dates in which the ballots themselves were received. These data include 196,831 records and include ballots that were received late or were otherwise marked invalid. Here, the pattern looks different than in Figure 1 in that the bars rise as Election Day approaches. As the election date gets closer, there are, on average, more ballots each day. In fact, the last week of eligibility (from February 25 until March 3) shows 39% of ballots received by election officials. Over 11% of ballots

submitted on time were received on a single date, February 28, the day before Election Day.

68. These patterns suggest that voters may have difficulty addressing problems in mail balloting due to SB 1. Given that 1 in 5 Texans who submit applications on time do so in the last week of eligibility, and given that 2 in 5 Texans who submit ballots on time do so in the last week of the election season means that many voters may not learn that they must address problems caused by SB 1 until it is too late. This concern is particularly salient given that three-quarters of individuals whose mail ballots were rejected due to SB 1 did not go on to vote by any method.

V. Summary of Findings

- 69. In this report, I have updated my analysis of TEAM and DPS data using more recent exports from the State of Texas. The results of this new analysis are consistent with the analysis of my prior report: many Texans can submit mail ballot forms correctly and yet their forms will be rejected due to deficiencies in state records.
- 70. Furthermore, I have addressed the major points raised by Dr. Hoekstra. Unlike other requirements on mail voters in Texas (e.g., the requirement to have an excuse to vote by mail if under age 65), SB 1 requires eligible voters to know detailed information about state record-keeping in order to vote by mail without risk of being rejected due to no fault of their own. While rejected voters can, in theory, cure errors by *not* voting by mail, and

⁶ According to Texas statute, Section 87.0271(c), in the days right before an election, election officials *may* try to notify voters by phone or email and instruct them in how to cure a problem, such as coming in person to vote at the early voting clerk's office. Furthermore, voters may be able to cure some SB 1 problems by providing identification verification during a grace period following an election. However, it is not clear the extent to which officials are able to make contact with registrants whose ballots/applications are rejected to SB 1. Clearly, the March election data shows that most voters with ballots rejected due to SB 1 did not end up voting.

instead voting in person, the March 1 election data confirms that three-quarters of rejected voters did not successfully vote in the election after their ballots were rejected due to SB1.

I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct to the best of my knowledge.

DATED this 4th Day of May, 2022.

Eitan Hersh

Exhibit 3

Second Supplement to

Report on Identification Number Requirements for Mail Balloting under SB 1

United States v. Texas

United States District Court for the Western District of Texas

Eitan Hersh Associate Professor Department of Political Science Tufts University Medford, MA

February 3, 2023

I. Abstract

- 1. This report contains three analyses. First, using new data supplied to me in January 2023, I calculate the number of registered voters in Texas whose registration records indicate that they could have a mail ballot application or carrier envelope rejected on account of identification verification requirements imposed by Senate Bill 1 ("SB 1"). My analysis shows similar results as in two prior expert reports that I have filed in this case. I find that 1 in 7 Texans can accurately and completely fill out a mail ballot application and the application could still be rejected on account of SB 1's verification procedures.
- 2. Second, I conduct an analysis of rejected mail ballots during the first federal election held since the passage of SB 1, the November 2022 election. Among other findings, I show that the overwhelming majority (more than 80%) of rejected mail ballots were rejected on account of SB 1 identification rules.
- 3. Third, I analyze the behavior in the November election of individuals who I have flagged as having records that could lead to mail ballot rejections. Those deemed at risk have a significantly lower rate of successfully voting by mail than the general population.

II. Replication of Previous Analyses and Meta-Analysis

4. In a February 28, 2022 report ("Initial Report"), I described a methodology for evaluating the number of Texans who were particularly vulnerable to having a mail ballot application rejected on account of identification verification rules in SB 1. For several reasons, a registered voter could fill out a mail ballot application (or mail ballot carrier envelope) correctly but the materials would be rejected by election officials:

- a. Many Texans have multiple identification numbers because they have multiple Department of Public Safety IDs ("DPS IDs"). But Texas only stores up to one DPS ID Number on its list of registered voters (the Texas Election Administration System, or "TEAM"). If a registrant lists a correct DPS ID number on mail ballot materials but not the number that happens to be listed in TEAM, the voter's mail ballot or mail ballot application will be rejected.
- b. Some Texans are listed on TEAM without a DPS ID Number. Many of these individuals do in fact have DPS IDs. They are instructed by the language in the mail ballot application and on the carrier envelope to list only their DPS ID when filling out mail ballot forms. However, because their DPS ID Number is absent from TEAM, their materials will be rejected.
- c. Administrative records are not perfect. Tens of thousands of Texans are listed on TEAM with typos in their Social Security numbers ("SSN") and/or their DPS ID numbers. When a registered voter fills out a mail ballot application (or ballot carrier envelope) correctly, the material will be rejected on account of these administrative typos.
- 5. In my Initial Report, I established a methodology for linking TEAM records to DPS records in order to count the number of individuals who might have their materials rejected. In addition to explaining the methodology, I was able to test the validity of the methodology. I reported that 1 in 7 registered voters in Texas could have their mail ballot materials rejected on account of SB 1 even if they followed instructions correctly. I concluded that "Texas's databases are simply not well-suited to SB 1's demands" (Paragraph 114). On account of incomplete records as well as typos and other

inconsistencies across state databases, the law can prevent citizens from voting. I conducted subgroup analyses to show that the affected population includes many senior citizens, Texans living overseas, disabled veterans and homebound citizens, all of whom rely on mail voting more than the general population.

- 6. In a May 4, 2022 supplemental report ("First Supplemental Report"), in addition to some new analyses, I replicated the analysis described above with updated DPS and TEAM records. Whereas DPS and TEAM data in the Initial Report were produced in January 2022, data in the First Supplemental Report were produced by the State in March and April 2022. The results were substantively the same.
- In January of 2023, I received yet another update to DPS and TEAM records. The DPS
 records were drawn in December of 2022, and the TEAM records were compiled in early
 January 2023.
- 8. In Appendix A to this report, I describe the details of this additional replication with the new data from December 2022/January 2023. In Table A, here, I provide the top-line summary statistics from that analysis and place the results in context, alongside results from the Initial Report and First Supplemental Report.

TABLE A: Summary of Results from Three Analyses of DPS and TEAM Records

	Initial Report	First Suppl. Report	Second Suppl. Report
	February 2022	May 2022	January 2023
No DPS ID in TEAM; Possesses DPS ID	276,405	209,137	189,095
One DPS ID in TEAM; Possesses Multiple DPS IDs	2,213,676	2,392,733	2,394,435
Typo/Inconsistent SSN4 in DPS vs TEAM	44,444	44,915	44,353
Typo/Inconsistent DPS ID in DPS vs TEAM	68,190	74,897	62,461
Total Issues	2,602,715	2,721,682	2,690,344
Total TEAM Records	17,026,054	17,330,189	17,451,752
Issues/Total (Percent)	15.3%	15.7%	15.4%

- 9. As the first line of data in Table A shows, the results indicate a decline in the number of individuals who are listed in TEAM without a DPS ID Number but who do in fact possess a DPS ID Number. The number went from 276,000 when I first ran the analysis a year ago to 209,000 a few months later, to 189,000 in the current analysis.
- 10. During the same period, the number of Texas registered voters who are listed in DPS with more than one DPS ID number has increased from 2,214,000 to 2,393,000 to 2,394,000. As noted in the Initial Report, according to SB 1, a voter may use a current or expired ID in filling out mail ballot materials, but TEAM only stores zero or one ID number per registered voter.
- 11. The number of typos or other data errors in the storage of Social Security numbers (specifically in the last four digits of the Social Security numbers ("SSN4")) is nearly exactly the same across the three analyses. The number of typos or errors in DPS ID numbers went from 68,000 to 75,000 and then down to 62,000. The last rows of Table A summarize the total number of issues and divides these by the total number of TEAM

records. The analysis was performed three times over the course of twelve months with three different snapshots of Texas administrative data. The results are consistent, with 15-16% of records affected by issues that might lead to ballot materials being rejected on account of SB 1 requirements, even with voters dutifully following mail ballot instructions.

III. Analysis of November 2022 Federal Election

- 12. In this section, I analyze mail ballot data from the November 2022 federal election. First, I measure the consistency between statistics reported by Texas and the January 3, 2023 data transmitted to me regarding participation in the November election. Then, I report three key findings.
 - a. I estimate that the initial mail ballot rejection rate in Texas at 4.1%. This is higher than the final rejection rate of 2.7% that Texas has reported.
 - b. I estimate that over 80% of rejected mail ballots are rejected on SB 1 grounds. I count 5 Federal Post Card Application ("FPCA") voters—military and overseas voters—whose ballots were rejected on SB 1 grounds.
 - c. I estimate that more than 50% of individuals who are flagged for having a mail ballot rejected due to SB 1 did not end up voting in the November election, either by mail or in person.

- 13. According to the website of the Texas Secretary of State, in the November 2022 election, 7,775,713 votes were cast in person and 359,526 ballots were cast by mail.¹ The count of 359,526 mail ballots submitted is higher than 345,697, which is the count provided by state officials to the media.³ It is also higher than 345,679, which is the count disclosed by Texas in court documentation in January 2023.⁴
- 14. In the January 2023 TEAM database I received, there are 8,178,445 voter history records associated with the November 8, 2022 election. However, about 70,000 of these records are instances of registrants who are listed on more than one line of the TEAM database, for instance a line representing that they requested a mail ballot but another line representing that they actually voted in person.
- 15. In order to gauge turnout as it is represented in the TEAM records, I retain only the most recent voter history record for each registrant, by selecting the date listed as most recently

¹ See "November 08, 2022 GENERAL ELECTION Cumulative Totals Thru Close of Business November 08, 2022" https://earlyvoting.texas-election.com/Elections/getElectionEVDates.do. The counts as reported by Texas here are dynamic and are regularly updated. The counts listed reflect numbers as of January 30, 2022. The mail ballots in this tabulation come from county numbers and appear to reflect ballots submitted rather than ballots officially counted. This is evidenced by the fact that the state website records ballots submitted as early as October 2, 2022, a date prior to when signature verification committees began to meet and review mail ballots. For information on the timeline for reviewing ballots, see: "Early Voting Ballot Board & Signature Verification Committee, Handbook for Election Judges and Clerks 2022," Texas Secretary of State Elections Division. See Page 9: "A [signature verification] committee may not begin operating before the 20th day before election day." https://www.sos.state.tx.us/elections/forms/ballot-board-handbook.pdf.

² Note that there is more than one way to tabulate voter turnout. For instance, elsewhere on its website, the Texas Secretary of State's office refers to ballots counted in the gubernatorial election (the highest office on the ballot in 2022) as its voter turnout. See Texas Secretary of State, "Turnout and Voter Registration Figures (1970-current)," https://www.sos.texas.gov/elections/historical/70-92.shtml. For matching turnout statistic in gubernatorial election, see Texas Secretary of State, "Official Canvas Report," Page 8, https://results.texas-election.com/static/data/Reports/47009/OfficialCanvassReport.pdf?v=1673559121148.

³ Ashley Lopez, "Despite Mail Voting Changes, Ballot Rejections Remain Relatively Low in 2022 Midterms," NPR, January 13, 2023.

⁴ See "State Defendants' Supplemental Objections and Responses to the United States' Second Set of Interrogatories," Page 13, *United States v. Texas*, January 19, 2023.

updated. After this procedure, all in-person ballots cast (election day ballots and early ballots, including provisional ballots) yield a tally of 7,775,194. This number is nearly identical to the count of 7,775,713 in-person ballots received according on the State's website as referenced above. Since the website is continuously updated but the voter file I received is static and dated January 3rd, it is expected that the number counted on the website would be slightly higher than tabulated based on the static voter file. Note that some of these ballots (5,901 of them) have a code indicating that they were ultimately rejected. Nearly all the others (7,768,874) have a code indicating that they were accepted. The remaining 419 records have neither an accepted nor rejected code.⁵

16. 378,487 other records have a code associated with a mail ballot. Nearly all of these have one of the following "ballot status" codes:

TABLE B: Ballot Status Codes of Mail Ballot Records in November 2022 Election

CODE	Definition	Count
AB	Absentee ballot received	1,492
AC	Absentee ballot cancelled by voter	16,420
AM	Absentee ballot mailed	29,719
AV	Absentee ballot accepted	322,423
AX	Absentee ballot rejected	8,366
RB	Absentee ballot returned by PO	20
(No Code)		47

17. Of these records, the total ballots submitted are those with codes AB (Absentee ballot received), AV (absentee ballot accepted), and AX (absentee ballot rejected). These sum

⁵ The method of voting is defined by a field in the database called "ballot type." The rejected/accepted status comes from a different field, called "ballot status". For in-person ballot types, 7,768,874 have a code of "A" (accepted); 5,901 have a code of "R" (rejected); and 419 have no code.

- to 332,281.⁶ The other codes reflect ballots that either never reached the voter (returned by Post Office) or were received by the voter but the voter never mailed back the ballot or else cancelled the request.
- 18. This number (332,281) is lower than the other counts mentioned above, both in public reports (345,697 ballots received) and in the State's count on its website (359,526 ballots received). One possible explanation for the discrepancy is if those sources include in their counts ballots that were cancelled by voters. Adding in these 16,420 records would bring the voter file count up to 348,701. However, based on the codes and definitions made available to me, I will count ballots submitted as only those that have the codes of AB, AV, or AX.
- 19. According to the January 2023 data, there are 18,187 records listed with a reason that a ballot was rejected. Of these, 13,638 were mail ballot rejections. About 40% of records that indicate a reason for a mail ballot being rejected have a status code that indicates the ballot was accepted. Presumably, these are cases in which a ballot was initially rejected but eventually cured and accepted. Of all the mail ballot rejections, 11,430 (83.8%) have a code indicating that identification verification was the reason for the rejection. With 13,638 rejections and 332,281 mail ballots submitted, the rejection rate is estimated as 4.1%. This number is higher than the publicly reported rate of 2.7%.

⁶ If one calculates this number without removing the duplicate voters listed in TEAM, as described above, the total count of submitted ballots would nevertheless be quite similar: 332,885.

⁷ These codes are: IS, ISR, EVBIS, EVBISR, EVCIS, EVCISR, and ISF. The first two of these codes are identified in Defendant's disclosed document STATE057755. The remaining codes are identified by county disclosed documents, such as Dallas County document, MS016221.

⁸ According to NPR, 9,348 of 345,697 mail ballots were rejected. These numbers are based on "NPR inquiries with state officials." Ashley Lopez, "Despite mail voting changes, ballot rejections remain relatively low in 2022 midterms," NPR, January 13, 2023

- 20. Among those with rejected ballots include 5 individuals who use Federal Post Card Applications, which are voter registration forms used by members of the military, their families, and American citizens who are residing overseas.
- 21. Of the 11,430 records indicating voters who were rejected on SB 1 grounds, less than half of them (44.4%) are associated with a registrant whose record also shows that they were able to vote either by mail or in person. Most (55.6%) failed to vote successfully following their ballot being rejected.
- 22. If one calculates the rate of rejected ballots as those that appear as uncured in the TEAM file, the rejection rate would be lower than 4.1%. For example, of all 13,638 records listed with a reason that a mail ballot was rejected, 8,306 show no indication that the registrant successfully voted, whether by curing the mail ballot or cancelling the mail ballot and voting in person. If we divide 8,306 by the sum of 8,306 and 322,423 (the number of successful mail votes), then the uncured/uncanceled rejection rate would be 2.5%, which is close to the rejection rate of 2.7% reported by the State. Such a calculation does not take into account those voters who, in order to resolve a rejection attributable to SB 1, needed to vote in person rather than by mail.
- 23. The analysis above suggests a mail ballot rejection rate of 4.1% and an uncured/uncanceled rejection rate of 2.5%. However, estimates of rejection rates must be observed with caution, as some cured ballots may have had their codes in TEAM overridden once they were cured. According to Kristi Hart, the State's Director of Election Administration and Voter Registration, TEAM records that are rejected but eventually cured would have the rejection flag overridden. At the same time, in some

⁹ Deposition transcript of Kristi Hart, Director of Election Administration and Voter Registration, Office of Texas Secretary of State, Pages 133-135, *United States v. Texas*, June 30, 2022.

cases registrants have multiple records on TEAM, one indicating a rejection and one an accepted form. Thus, from the TEAM data alone, it is not possible to offer a definitive account of the number of ballots rejected and cured. The numbers reported here reflect what can be discerned with the available data.

24. In comparison to the March 2022 primary, which was the first election held under SB 1 rules, two facts are apparent. First, the rejection rate reported in the March 1, 2022 state primary was higher than in November; 12% of ballots were reportedly rejected in March. Second, a smaller share of voters who cast ballots did so by mail in November 2022 (4.4% according to the State's reporting) compared to the share in March 2022 (5.6%). 11

IV. Relationship between Records Flagged and Mail Voting in 2022 Election

- 25. The first part of the analysis in this report showed that 15% of Texas registered voters could have a problem voting by mail on account of SB 1. The second part of the analysis showed that some 4% of mail voters had ballots rejected on account of SB 1 identification rules. Here, I will briefly put these two analyses in context of one another.
- 26. As I noted in my First Supplemental Report, a useful analogy to the problems identified here is that of a hospital that has poor record-keeping practices. Suppose the hospital had incorrect records for 15% of the population. In any one year, few people go to the hospital, so it isn't the case that 15% of the total public will be mistreated by the hospital on account of poor record-keeping. But when those in that 15% "at-risk" population

¹⁰ Robert Garrett, "Rejection of Texans' Mail Ballots Decline Markedly from the Big Surge in March Primary", *Dallas Morning News*, Dec 23, 2022.

¹¹ https://earlyvoting.texas-election.com/Elections/getElectionDetails.do.

suddenly need to visit the hospital, they may be inconvenienced or harmed on account of the record-keeping. The analogy is helpful because it clarifies that while there is a large pool of citizens at risk of having a problem, most will not be confronted with that problem in any one election year.

27. Consider the 2.7 million records of registrants whose data demonstrate a possible barrier to meeting SB 1 requirements. I merge these with the records of individuals who requested a mail ballot in November 2022. Of all the 2.7 million registrants with record issues, 28,437 requested a mail ballot. It is not surprising that only a small percent of these 2.7 million voters requested a mail ballot, as only about 2% of all registered voters in Texas voted by mail in the November election. 12 Among those 28,437 registrants who tried to cast a mail ballot, 6,380—or 22.44%—never cast a successful mail ballot. These registrants include those rejected due to SB 1 and those rejected for reasons other than SB 1, as well as those who never returned their ballot or returned their ballot late. In comparison, among those registrants who are not in the "at risk" pool of the 2.7 million voters, only 16.17% of them who began the mail voting process never cast a successful mail ballot (a statistically significant six percentage-point difference, p < .0001). Again, this baseline of 16.17% includes those whose mail ballot applications or ballots are rejected for reasons unrelated to SB1 as well as individuals who do not end up returning a mail ballot at all or returning it late. The fact that the subpopulation of 2.7 million has a

¹² According to Texas, in November 2022, there were approximately 346,000 mail voters and 17,672,000 registrants, so 2% of all registrants cast a mail ballot. This figure represents the percentage of all *registered voters* who cast mail ballots in November 2022, rather than the percentage of *voters who cast ballots* in the November 2022 election who did so by mail, as discussed in Paragraph 24. For mail ballot estimates, see above. For registration counts, see: https://www.sos.texas.gov/elections/historical/70-92.shtml.

much higher rate of non-voting by mail conditional on requesting a ballot is likely to be

related to SB 1 requirements.

V. Conclusion

28. In this analysis, I have replicated my main analysis for the second time. The analysis

shows (as it has shown twice before) that about 15% of registration records in Texas

could have an issue with the SB 1 identification verification rule if the registrant was to

apply to vote by mail. Second, I have shown that while only 2% of registrants voted by

mail in the 2022 general election, more than 11,000 ballots were rejected on account of

SB 1 identification issues. Most of the individuals who submitted those rejected ballots

did not successfully vote, either by mail or in-person. Third, I have shown that "at-risk"

registrants who tried to cast a ballot by mail in the 2022 general election were

significantly less likely to successfully vote by mail than individuals who are not in the

pool of the 2.7 million "at-risk" registrants.

I declare under penalty of perjury under the laws of the United States that the forgoing is

true and correct to the best of my knowledge.

DATED this 3rd Day of February, 2023.

Eitan Hersh

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APPENDIX A: REPLICATION OF ANALYSIS USING DEC 2022/JAN 2023 VERSIONS OF DATA

A. Databases

- 1. <u>DPS</u>. The updated DPS database I received is dated December 17, 2022. The database contains 37,377,423 records, an increase of almost a million records from the 36,417,304 records identified in the March 2022 data I analyzed in my prior supplemental report. As in the versions previously analyzed, the December 2022 version of the data has complete or nearly complete records in all fields of interest (e.g., name, date of birth, address, gender) except that 5% of records are not populated with Social Security numbers, which was also the case in the prior versions. Table 1 below updates Table 1 of my Initial Report with the new data.
- 2. The percent of DPS records with missing SSNs has declined from 5.02% in the Initial Report to 4.98% in the First Supplemental Report, to 4.85% here. The percent of records missing a *unique* SSN9 (i.e., the number of SSNs associated with more than one DPS ID Number) has increased from 21.6% to 27.5% here (the First Supplementary Report had this rate even higher, at 28.7%).

TABLE 1: Rate of Missing Information in DPS

Missing SSN	4.85%
Missing unique SSN9	27.49
Missing First Name	0.00
Missing Last Name	0.00
Missing Birthdate	0.00
Missing M/F Gender	0.00
Missing Street Number	0.03
Missing ZIP Code	0.00
TOTAL IN DATABASE	37,377,423
	·

- 3. TEAM. The updated version of TEAM records is dated January 3, 2023. The TEAM data was transmitted to me as a single data file. (In prior transmissions, the data had been stored by county in separate files). Registered voters can be listed on many lines within the file. For instance, Texas counts 28,868 registered voters in Anderson County as of January 2023. In the January 2023 TEAM export I received, there are 57,459 rows of registrants in Anderson County. Different rows show different interactions that registrants have had with the election system. I processed the data so that each person, represented by their Voter Unique Identification Number (VUID), is listed one time. Specifically, I observed the dates labeled "ballot_last_updated" and retained the most recent date for each registrant. I also retained registrants who had no date listed in this field.
- 4. After the de-duplication process, the January 2023 TEAM file consists of 17,451,752 records. I sought to confirm that this number is close to the State's official reporting. According to the Secretary of State's website, as of January 2023, there were 17,450,474 registered Texas voters. Given the typical fluctuation in registration numbers, a difference of less than 0.01% suggests the data I have been given by the State is consistent with the State's publicly reported information.

B. Data Quality Checks in the TEAM Voter Records

5. I performed the same set of data quality checks as described in my prior reports. Tables 2 and 3 offer summary statistics on key fields of interest. In the updated data, 2.27% of records are missing SSN (compared 2.52% in March 2022 and 2.34% in January 2022).

¹³ https://www.sos.state.tx.us/elections/historical/jan2023.shtml

- In the January 2023 data, 2.62% are missing a DPS ID Number (compared to 2.85% in April 2022 and 3.16% in January 2022).
- 6. The numbers are all similar to those in my previous reports, with one exception. In the January 2023 data as well as the January 2022 data, less than 1% of records are missing street number and ZIP code. In the March 2022 data, over 20% of the records were missing this information.

TABLE 2: Rates of Missing Information in TEAM

Missing SSN	2.27%
Missing Unique SSN9	5.86
Missing First Name	0.00
Missing Last Name	0.00
Missing Birthdate	0.01
Missing M/F Gender	3.65
Missing Street Number	0.07
Missing ZIP Code	0.03
TOTAL IN DATABASE	17,451,752

TABLE 3: Summary of Field Completeness in TEAM

TOTAL Records in TEAM analysis	17,451,752	
Records with unique SSN9	16,428,895	94.14%
Records with SSN4	17,056,442	97.73
Records with DPS ID Number	16,994,311	97.38
Records lacking SSN4 and DPS ID No.	93,208	0.53

C. Methodology

7. The methodology employed is the same as in my Initial Report. See Paragraphs 50-73 in that report for a detailed explanation. My goal is to look up each registered voter in the

DPS database and determine if the registered voter has one (or more) DPS ID Numbers listed, and to see if there are typos or other inconsistencies between the DPS ID Numbers and SSN4s listed on TEAM versus those listed on the DPS Database. I create three linkage fields to connect the TEAM and DPS databases together. The first field is the nine-digit Social Security number (SSN9). The second field is the combination of name (First and Last) and date of birth. I call this linkage field "ND" for Name + Date of Birth. The third field, a combination of Address (Street Number and ZIP code) + Date of Birth + Gender, I call "ADG". Table 4 (a replica of Table 6 from my Initial Report) illustrates the three linking fields with an example of a fictional registered voter named John Smith.

TABLE 4: Summary of Fields Used in Linking TEAM Database to DPS Database

Field Name	Explanation	"John Smith" example
SSN9	9-digit Social Security number	"123-45-6789"
ND	First name + Last name + Date of birth	"JOHNSMITH1976-07-04"
ADG	Address + Date of birth + Gender	"655782051976-07-04M"

8. As in the prior reports, in addition to calculating statistics for the whole population of registered voters, I also look at several subpopulations, including registrants over 65, registrants who voted in 2020, registrants who have homebound/disabled veteran statuses, and registrants who are listed with specific codes in TEAM signaling that they have applied using Federal Post Card Application (FPCA) registration forms, which are voter registration forms used by members of the military, their families, and Americans who are residing overseas. I refer to these as FPCA voters. In the April report, I did a separate analysis of "voluntary surrender" designations in DPS records, but I concluded, based on disclosures from Texas, that these designations did not contain sufficient information to determine if the citizen holding a surrendered card would or would not be

able to use the ID card for the purposes of mail voting. Accordingly, I do not repeat the analysis of surrendered licenses here.

D. Linkage Part I: TEAM Records with missing DPS ID Numbers

- I divide the analysis into two parts. First, I examine individuals whose TEAM records do
 not show any DPS ID Number. Second, I examine individuals whose TEAM records do
 show a DPS ID Number.
- 10. Out of 17,451,752 records in TEAM, 457,441 do not have a DPS ID Number listed in the voter registration records. If any of these individuals actually has a DPS ID Number, they are instructed by the mail ballot forms to include that DPS ID Number (and *only* that identification number). But SB 1 requires these forms—the application and the ballot carrier envelope—to be rejected because the DPS ID Number is not listed within registration records.

TABLE 5: TEAM records by Presence/Absence of Unique SSN9 and DPS ID

Number

		Unique SSN9		
		Present	Absent	TOTAL
DPS ID	Present	16,340,755	653,556	16,994,311
Number	Absent	88,140	369,301	457,441

- 11. I link the 457,441 individuals who do not have DPS ID Numbers recorded in TEAM to the DPS database using the SSN, ND, and ADG linkage fields.
- 12. I first link by SSN9. Of the 457,441 individuals without a DPS ID Number in TEAM, 88,140 have a unique SSN9 listed (as noted in Table 5). Of those, 71.42% match to the DPS database by their SSN9. A total of 64.81% of the records match to a single DPS ID Number, and 6.61% link to multiple DPS ID Numbers.

- 13. I next link these individuals based on ND. As noted in Table 5, most individuals who lack DPS ID Numbers on TEAM also lack an SSN9. However, nearly all of the records have a unique ND combination. Of the 457,441 lacking a DPS ID Number on TEAM, 449,224 (98.2%) have a unique ND. Of those who have a unique ND, 23.72% match to a single DPS record and 4.22% match to multiple DPS records.
- 14. I next link these individuals based on ADG. Of 457,441 records lacking a DPS ID

 Number on TEAM, 401,073 (87.68%) have a unique ADG. Of those with a unique ADG,

 26.81% match to a single DPS record and 3.48% match to multiple DPS records.

TABLE 6: Results of Linking TEAM to DPS Records for TEAM Records without a DPS ID Number listed

	No Match to DPS	Single Match to DPS	Multiple Match to DPS	Attempted to Match
SSN9	28.58%	64.81%	6.61%	88,140
ND	72.06	23.72	4.22	449,224
ADG	69.70	26.81	3.48	401,073
Any	58.36	36.25	5.39	454,073

- 15. Table 6 summarizes the analysis of records that do not have a DPS ID Number listed on the TEAM voter file. Each of the first three rows summarizes a linkage between TEAM and DPS based on SSN9, ND, and ADG, respectively. For instance, the first row shows that I attempted to match 88,140 records in TEAM based on SSN9. This reflects the number of TEAM records without a DPS ID Number that include a unique SSN9. Of those, 28.58% did not match to DPS. The others did match.
- 16. The bottom row of Table 6 provides the overall summary for the TEAM records lacking a DPS ID Number. Of the 457,441 total records lacking a DPS ID Number, I attempted to link 454,073 (99.26%) to the DPS database. (The other 0.74% did not have a unique or

complete value for SSN9, ND, or ADG). Of the individuals I attempted to find on DPS, 42% matched to a DPS record. That amounts to 189,095 registered voters. These individuals possess a DPS ID Number and therefore are instructed by Texas's mail ballot forms to list their DPS ID Number (and only their DPS ID Number) on their mail ballot forms. However, if they follow those instructions and list only that DPS ID Number, SB 1 requires their ballot applications, and their ballots, to be rejected because the number is not listed on TEAM.

- 17. <u>Subpopulations:</u> Of the 189,095 individuals who match to DPS and have a DPS ID Number even though no such number is listed on TEAM,
 - 74,982 are over age 65
 - 52,157 voted in the 2020 election
 - 28,152 are over 65 AND voted in the 2020 election
 - 1,475 have FPCA statuses
 - 391 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers show that many active voters who are eligible to vote by mail under

Texas law are listed in TEAM without DPS ID Numbers but do in fact possess DPS ID

Numbers.

18. Typos in Social Security Number. Among registrants who lack a DPS ID Number recorded on TEAM but who match to a record in DPS based on ND or ADG, I compare the SSN4 as recorded on the two databases. I find that 3,431 individuals who appear on both databases have discrepancies in their SSN4s. If the DPS records of SSN are correct, then these 3,431 cases result from inaccuracies on TEAM. They would cause election

officials to reject mail ballot forms from citizens who include their correct SSN4 on the forms. A voter may include an SSN4 on ballot materials as a precautionary measure based on supplemental instructions from election administrators.¹⁴

E. Linkage Part II: TEAM Records Listed with DPS ID Numbers

- 19. I now turn to the analysis of the 16,994,311 records in which a DPS ID Number is listed in the TEAM databases. As noted above in Table 5, 96.2% of these records have a unique SSN9 associated with them. I first link these records to DPS by matching on SSN9. Of 16,340,755 records with a unique SSN9 on TEAM, 99.71% match to a record in DPS. However, 16.34% of the records match to more than one DPS ID Number.
- 20. Next, I link records based on the ND combination, as described in Paragraph 11 above.
 The ND combination is unique for 16,869,025 individuals who have a DPS ID Number listed on TEAM. Of these, 97.66% match to a record in DPS. However, 15.89% match to more than one DPS ID Number.
- 21. Next, I link records based on the ADG combination. The ADG combination is unique for 16,316,427 individuals who have a DPS ID Number listed on TEAM. Of these, 85.19% match to a record in DPS. However, 11.01% match to more than one DPS ID Number.

TABLE 7: Results of Linking TEAM to DPS Records for TEAM Records with a DPS ID Number listed

	No Match to DPS	Single Match to DPS	Multiple Match to DPS	Attempted
				to Match
SSN9	0.29%	83.36%	16.34%	16,340,755
ND	2.34	81.76	15.89	16,869,025
ADG	14.81	74.19	11.01	16,316,427

¹⁴ See discussion of the State's instructions in my Initial Report, Footnote 4, and in First Supplemental Report, Paragraphs 50-55.

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- 22. Table 7 summarizes the analysis of records with a DPS ID Number on the voter file.

 Consider the bottom row. Of the 16,994,311 records in TEAM listed with a DPS ID

 Number, I attempted to link 16,980,669 (99.92%) of them to the DPS database. The

 remaining 0.08% did not have a unique or complete record on SSN, ND, and ADG. Of

 these 16,980,669 records, 99.18% matched to a record in DPS. However, many of them

 are listed more than once on DPS, with multiple ID numbers. These 14.10% of records

 sum up to 2,394,435 records. That is, for 2.4 million Texas registered voters who have a

 DPS ID Number listed, they may put a correct DPS ID Number on their mail ballot

 application form but nevertheless have their application (or their ballot envelope) rejected

 because the DPS ID Number they write down, while correct, happens not to be the DPS

 ID Number recorded on the TEAM file.
- 23. The 2.4 million figure may be an underestimate. Many DPS ID holders are listed not just with one DPS ID Number but they have alternative ID numbers stored as "AKA DL/ID Numbers." Of the TEAM records that linked to a *single* DPS ID Number, 1,407,010 of them linked to a record that listed alternative ID numbers in the "AKA DL/ID Number" field. During her April 20, 2022 deposition, Sheri Gibson, chief of the Texas DPS driver's license division, explained that these AKA DL/ID numbers are identification numbers associated with the ID holder that are either erroneous or originate from a prior version of the State's license system. If registrants use these alternative identification numbers when submitting a mail ballot application or mail ballot, they will also have their forms rejected because the AKA DL/ID Numbers are not the identification numbers on the voter registration records that are associated with these

registrants. Because some AKA ID Numbers are considered by DPS to be erroneous or otherwise invalid (i.e., not just "expired," which does not impact validity for SB 1 purposes), in order to perform a conservative analysis, I focus here on registered voters who have multiple DPS ID Numbers exclusive of the AKA DL/ID Numbers.

- 24. Subpopulations: Of the 2,394,435 individuals who match to multiple DPS ID Numbers,
 - 174,880 are over age 65
 - 1,073,661 voted in the 2020 election
 - 91,469 are over 65 AND voted in the 2020 election
 - 1,325 have FPCA status
 - 5,279 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers show that many active voters who are eligible to vote by mail under

Texas law are listed in TEAM with a DPS ID Number but possess multiple DPS ID

Numbers. If they list a DPS ID Number other than the one that happens to be recorded in

TEAM, SB 1 requires their mail ballot forms to be rejected.

25. Typos in Social Security Number. Looking just at the last 4 digits of Social Security numbers, I calculate the number of individuals in TEAM who match to records in DPS based on ND and ADG, but whose TEAM records show a different SSN4 than is shown on DPS. There are 40,922 individuals who appear on DPS with different SSN4s than shown on TEAM. If the DPS database is correct and these individuals mark down their correct SSN4 on a mail ballot application, then their application will be rejected because of incorrectly recorded data in TEAM.

- a. <u>Subpopulations:</u> Of the 40,922 individuals whose SSN4s listed on TEAM do not match the SSN4s listed in the DPS database
 - 14,945 are over age 65
 - 25,795 voted in the 2020 election
 - 10,294 are over 65 AND voted in the 2020 election
 - 100 have FPCA status
 - 110 individuals matched to DPS records indicating homebound status or disabled veteran status.

These numbers show that many active voters who are eligible to vote by mail under

Texas law are listed in TEAM with an SSN4 that is inconsistent with the SSN4 listed in
the DPS database.

- 26. Typos in DPS ID Numbers. Just as there are discrepancies between the SSNs listed in TEAM and the corresponding SSNs listed in DPS, there are also discrepancies in DPS ID Numbers. Using the methodology for calculating these discrepancies that was explained in my Initial Report, I calculate that 62,461 individuals have a DPS ID Number in TEAM that does not match any DPS ID Number in the DPS database.
 - a. <u>Subpopulations</u>: Of the 62,461 individuals on TEAM who match to DPS on SSN9, ND, and ADG, but have DPS ID Numbers that do not correspond to the DPS database,
 - 14,602 are over age 65
 - 27,441 voted in the 2020 election
 - 9,006 are over 65 AND voted in the 2020 election
 - 75 have FPCA status

 359 individuals matched to DPS records indicating homebound status or disabled veteran status.

F. Summary of Results from Updated Analysis

- 27. To comply with the identification verification requirements in SB 1, registered voters who have a DPS ID are instructed to record their ID number on a mail ballot application and again when submitting a mail ballot. If they do not have an ID number, they must record their SSN4. The analysis from the updated TEAM and DPS files show the following:
 - a. 189,095 registered voters are not listed in TEAM with a DPS ID, but they do have a DPS ID. Official forms instruct these individuals to list only their DPS ID, but if they do so, their ballot or ballot application will be rejected.
 - i. Of these, **74,982** are over 65 years old, **28,152** of whom voted in the most recent presidential election.
 - ii. Of these, **1,475** have FPCA status or are listed as disabled veterans or as homebound citizens.
 - b. 2,394,435 individuals who are listed on TEAM with an associated DPS ID have more than one DPS ID Number. If they happen to write down a DPS ID number that is correct but is not the DPS ID number recorded in TEAM, their ballot or ballot application will be rejected.
 - i. Of these, **174,880** are over 65 years old, **91,469** of whom voted in the most recent presidential election.
 - ii. Of these, **5,279** have FPCA status or are listed as disabled veterans or as homebound citizens.

- c. **44,353** individuals have SSN4s listed in their TEAM records that do not match the SSN4s listed in the DPS database.
- d. At least 62,461 individuals who are listed on TEAM registration records with a
 DPS ID Number do not show the same DPS ID Number listed in the DPS
 database.
- 28. Altogether, <u>2.7 million</u> registered voters in Texas (out of 17.5 million) are at an increased risk of having a mail ballot or mail ballot application rejected due to identification number requirements in SB 1. These numbers do not include individuals who have misplaced or surrendered their IDs or who mis-enter information on a mail ballot form.

 These 2.7 million individuals can correctly fill out their forms, but their applications and ballots would be rejected nonetheless.

Exhibit 4

ADDENDUM TO

Second Supplement to

Report on Identification Number Requirements for Mail Balloting under SB 1

United States v. Texas

United States District Court for the Western District of Texas

Eitan Hersh Associate Professor Department of Political Science Tufts University Medford, MA

May 8, 2023

I. Summary

- 1. In Part IV of my February 3, 2023 report ("Second Supplemental"), I compared the successful mail voting rates in the November 2022 election of individuals whose records I had deemed "at risk" for a ballot being rejected on account of the identification requirements in SB 1 with the successful mail voting rates of those not deemed "at risk." I found that at-risk voters successfully voted by mail at a significantly lower rate than other voters. In his March 3, 2023 rebuttal report, the State's witness, Dr. Mark Hoekstra, raised questions about this analysis. He suggested that my analysis had not accounted for the possibility that voters in the at-risk pool a.) could have been rejected for reasons unrelated to SB 1, b.) simply substituted voting in-person for voting by-mail, and c.) exhibit different voting rates from other voters for reasons that are correlated with being in the at-risk pool but have nothing to do with SB 1 compliance (See Hoekstra at Paragraph 21).
- 2. Following my review of Dr. Hoekstra's report but before my April 20, 2023 deposition, I conducted additional, informal analyses to answer questions raised by Dr. Hoekstra, such as checking whether "at-risk" voters did indeed substitute in-person voting for mail voting. During the deposition, the counsel for the State asked if I had done analysis since writing my last report. I disclosed I had done an analysis related to Dr. Hoekstra's comments, though I had not formally written up computer code nor written up my notes. At my deposition, the State's counsel asked that I share an updated analysis.
- 3. Responsive to the State's counsel's request, I went back to the database and conducted the updated analysis that I report on here. I am also providing updated programming code to accompany this addendum. In short, the updated analysis shows that voters in the "at-risk" pool who applied for a mail ballot (successfully or unsuccessfully) were significantly less likely to successfully vote (either by mail or in person) in the November 2022 election. This finding cannot be explained by substitution of in-person voting for voting by mail. The finding also cannot be explained by key demographic or geographic factors (e.g., age, county of residence). Registered voters in the at-risk population who apply for a mail ballot are more than twice as

likely as other voters to have a record in the TEAM database indicating that their ballot was rejected due to SB 1. This evidence is consistent with the view that the 2.7 million Texans for whom identification numbers are incorrectly or incompletely recorded in TEAM are significantly more likely than other voters to have ballots rejected and to fail to successfully vote because of SB 1.

II. Analysis

- 4. I start the analysis with the 8,178,445 TEAM records that indicated any kind of interaction with election officials related to the November 8, 2022 election (See Paragraph 14 of Second Supplemental Report). Of these records, 422,605 have an "application status" code, which indicates that the registrant requested a mail ballot, and 390,012 have a "ballot type" code, which indicates that the registrant successfully requested a mail ballot. TEAM does show some records of individuals with an "application status" code who do not have a "ballot type" code. TEAM also shows some records of individuals who have a "ballot type" code but not an "application status" code. I perform analyses of voter turnout here separately among those who have an indicator that they requested a ballot and among those who have an indicator they were sent a mail ballot. The results are substantively the same either way.
- 5. While there are 8,178,445 records in TEAM associated with the November 2022 election, tens of thousands of individuals are listed multiple times. For instance, a person might have one record indicating she had a mail ballot rejected and then a separate record indicating that she had a mail ballot accepted. In this analysis, I create a file where each person is listed once, and I record for that person whether she has any records in TEAM at all indicating she a.) requested a ballot, b.) received a ballot, c.) voted by mail, and d.) voted at all.

¹ In the Second Supplemental analysis, I focused on individuals who successfully requested a mail ballot. These are records that have a ballot type designation as "AB" in TEAM. However, as an alternative, one can base this analysis on the application status field so as to include individuals who tried, but failed, to receive a mail ballot. The decision, one way or the other, does not affect any of the core results, as I will show here.

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- Of 393,324 individuals who requested a ballot, 81.9% successfully voted by mail and 89.9% voted by any method (mail or in person).
- Of 386,478 individuals who were sent a ballot, 83.4% successfully voted by mail and 89.8% voted by any method (mail or in person).
- 6. Next, I merge this data in with the records of the 2.7 million individuals who I deem "at risk" (See Section II and Appendix A of Second Supplemental for information about how I defined the "at risk" population). These are individuals who either have no DPS ID Number listed in TEAM but do possess a DPS ID Number, have multiple DPS ID Numbers but only one of them listed in TEAM, or have typos in their DPS ID Numbers or their Social Security Numbers listed in TEAM. Among those who either requested a mail ballot or were sent a mail ballot, I measure whether the rate of a successful vote differs depending on whether someone is in the "at-risk" pool or not.

TABLE 1

Individuals who applied for Mail Ballot

	Successful Mail Vote	Successful Vote Any Method	Observations
Not "At Risk"	82.4%	90.6%	364,267
"At Risk"	75.9%	82.2%	29,057
DIFFERENCE	6.5 pp	8.4 pp	

Note: "pp" means percentage points. It is the difference between the two numbers above it.

Individuals who were sent a Mail Ballot

	Successful Mail Vote	Successful Vote Any Method	Observations
Not "At Risk"	83.8%	90.4%	358,041
"At Risk"	77.6%	81.9%	28,437
DIFFERENCE	6.2 pp	8.5 pp	

Note: "pp" means percentage points. It is the difference between the two numbers above it.

- 7. As Table 1 shows, regardless of whether one measures the voting rates among those who requested ballots or were sent ballots, Texas registrants in the at-risk pool who attempted to vote by mail are over 6 percentage points less likely to successfully vote by mail and 8.5 percentage points less like to successfully vote at all, compared to those not in the at-risk pool. All the differences in this table are highly statistically significant (p < .0001). Note that the version of this analysis from my Second Supplemental Report is the 6.2 percentage point difference in mail voting among those who were sent a mail ballot (bottom left of Table 1). Table 1 here shows three additional comparisons, finding a consistent, large difference in participation rates among those in the at-risk pool and those not in the at-risk pool.
- 8. Dr. Hoekstra raised the possibility that the individuals who are in the "at-risk" pool are different from those not in the "at-risk" pool in ways that are correlated with voter turnout but have nothing to do with identification numbers. Dr. Hoekstra performed no analysis on this point, and his critique is undermined by the fact that the analysis here is conditioned on individuals requesting a ballot. However, responsive to Dr. Hoekstra's critique, I analyzed the data with two key control variables, age and county.
- 9. As noted in my February 28, 2022 report, at Paragraph 77, registrants without a DPS ID on TEAM tend to be older than other registrants. Suppose that, conditional on requesting a ballot, the at-risk pool has a higher share of older voters and that those older voters are more likely to not successfully vote. A regression analysis that controls for age is responsive to a challenge of this sort.
- 10. In a regression framework, I also control for county variation using county fixed-effects.
 Including county fixed-effects accommodates a concern that what is explaining the lower rates of successful voting in the at-risk pool is related to specific counties that have disproportionate share of the at-risk pool and disproportionate share of individuals who try, but fail, to vote after requesting an absentee ballot.

11. Table 2 shows the regression results from an ordinary least squares regression model.² The first row is comparable to the percentages in Table 1. For example, in the second column, the -.084 figure means that, controlling for age and county, those in the at-risk pool are 8.4 percentage points less likely to successfully vote (by mail or in person) conditional on applying for a mail ballot. That number, 8.4, is the same as listed in Table 1. This means that adding the control variables does not affect the relationship between "at risk" and participation. The same pattern is true across all four estimates. Note that I also ran this regression model and included gender as an additional control variable. Including gender also has no bearing on the significant relationship between being in the at-risk population and successfully voting.

TABLE 2

	Applied for Ballot		Sent	Ballot
	Mail Vote	Any Vote	Mail Vote	Any Vote
"At Risk"	067 (.002)	084 (.002)	063 (.002)	089 (.002)
Age (in 10s)	.019 (.0004)	.018 (.0003)	.017 (.0004)	018 (.0003)
Constant	.686 (.003)	.776 (.003)	.714 (.003)	.770 (.003)
N	393,229	393,229	386,387	386,387

NOTE: Each column represents an output from an OLS regression analysis measuring the relationship between "at-risk" and voting while controlling for age and for county of residence. Standard errors are reported in parentheses.

12. Another comment offered by Dr. Hoekstra is that some individuals who did not end up voting by mail successfully may have not voted for reasons unrelated to identification issues that are concentrated in the "at-risk" pool. I observed individuals who requested a mail ballot but then asked to cancel the mail ballot ("ballot type" code "AC"). I re-ran the analysis excluding these individuals. The results are the same.

² Multivariate ordinary least squares (OLS) regression is a common way to measure the relationship between two variables while controlling for other factors. In this case, OLS allows me to measure the relationship between being in the at-risk population and voting successfully, while controlling for age and county of residence. If the relationship between being at-risk and voting successfully is significant even when the other factors are included in the model, this means that the differences in turnout rates between at-risk and non at-risk voters are not attributable to those other factors.

- 13. A final piece of evidence that confirms that identification issues are at the heart of differences between the at-risk pool and the non at-risk pool comes from the ballot codes in TEAM indicating a ballot was rejected on account of ID issues. As noted in my Second Supplemental report (Paragraph 19), over 11,000 records show a rejection code related to identification issues. Are those rejection codes concentrated in the at-risk population? Yes.
 - 2.8% of Texas registrants who were sent a ballot and are <u>not</u> in the at-risk pool had their ballot rejected due to SB 1 identification requirements.
 - 6.4% of Texas registrants who were sent a ballot and are in the at-risk pool had their ballot rejected due to SB 1 identification requirements.

This rate for the at-risk registrants is more than double the rate of those not in the at-risk pool, and the difference is, again, statistically significant at the p <.0001 level.

III. Conclusion

14. As requested by the State's counsel at my deposition, this addendum summarizes the additional analysis I conducted following my review of Dr. Hoekstra's March 3, 2022 report. The main new analysis I performed responded to the question of whether at-risk voters were less likely to vote at all in the November 2022 election or just less likely to vote by mail. I have found that the at-risk voters are significantly less likely than the non-at-risk voters to vote and to vote by mail. This finding is robust when controlling for age and county, and when setting aside individuals who requested their mail ballots to be cancelled. I further show that those in the at-risk pool are more than twice as likely as other voters to have ballots rejected specifically on account of SB 1 identification requirements. The findings strengthen the conclusions of my previous report that individuals for whom TEAM incorrectly or incompletely records identification numbers are significantly less likely to vote on account of identification requirements of SB 1.

I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct to the best of my knowledge.

DATED this 8th Day of May, 2023.

Eitan Hersh

Exhibit 5

Voting Assistance & Vote by Mail

La Unión Del Pueblo Entero et al. v. State of Texas et al.

Tammy Patrick

INTRODUCTION AND SUMMARY OF CONCLUSIONS

- 1. I am a longtime election administrator and election administration advisor and instructor. I was engaged by the United States of America to provide my opinion on two aspects of Texas' new election law, SB1. First, I was asked to analyze the oath that individuals providing assistance to a voter must swear under penalty of perjury and to evaluate whether it is consistent with sound principles for election assistance and election administration. Second, I was asked to evaluate whether the provisions of SB1 requiring voters applying for a mail ballot or voting by mail to provide a number from a Texas identification document if the voter has been issued one, and a partial social security number if they have not, in order for their application or ballot to be accepted, are consistent with sound election administration principles.
- 2. With respect to the voter assistance oath under SB1, it is my opinion based on my knowledge and years of experience in election administration that the substantive limitations of the oath are not consistent with sound election assistance practices and principles. The oath does not allow for assistance that is comprehensive or responsive to voters' needs, and may prevent timely and equitable assistance for some voters. It also places a burden on election administrators to interfere with the assistance relationship between an assistor and voter, rather than to support ballot access and ensure voters receive the assistance they need.
- 3. With respect to the vote-by-mail provisions of SB1, it is my opinion that rejecting mail ballot applications or mail ballots based exclusively on a mismatch between an identification card number or partial social security number provided on ballot materials and voter records maintained by the state is not sound election administration practice, nor is it justified by any hypothetical interest in ballot security. This all-or-nothing approach to reverifying the identity of mail voters will cause ballot rejections despite officials' ability to positively identify the voter who sent the materials, and will not meaningfully make elections more secure. Evidence of the rejection rates from Texas' implementation of these provisions so far shows rejection rates far beyond what would be considered reasonable in a well-run election and demonstrates that the identification number requirement does not adequately protect access to voting.

CONTENTS

4. This Report proceeds in six sections. Section 1 describes my experience, expertise, and qualifications as they relate to the opinions expressed in this report. Sections 2 and 3 pertain to voter assistance. In Section 2, I lay out the principles of voter assistance applicable to my opinion in this case, and in Section 3, I apply those principles to the voter assistance oath provision of SB1. Sections 4 and 5 pertain to voting by mail. In Section 4, I provide background information and principles underlying sound administration of voting by mail. In Section 5, I apply those principles to the identification document number requirements of SB1. Section 6 summarizes my conclusions.

REQUIRED DISCLOSURES

5. Over the past 4 years, I have not testified as an expert at trial or deposition.

- 6. Over the past 10 years, I have authored the publications listed in Appendix A.
- 7. I am being compensated for my time at the rate of \$250.00 per hour. My compensation is not dependent on my opinions and findings in this case.

SECTION 1: EXPERTISE

- 8. For almost twenty years, I have served as an election administrator and expert on election administration. I provide a comprehensive *curriculum vitae* at Appendix B and will draw upon specific examples that have given me experience relevant to the questions the United States has asked me to opine on throughout this Report, as well as to contextualize my election administration experience as it relates to voter assistance and voting by mail. Below, I highlight some of my most pertinent experience.
- 9. From 2003-2014, I was the Federal Compliance Officer for the Maricopa County Elections Department in Arizona. During my tenure in Maricopa County, I developed and formalized an award-winning Voter Assistance Program with comprehensive protocols establishing the proper staffing levels at the polls and ensuring the proficiency of workers to aid voters and their assistants, training of workers in proper assistance practices, and communicating with the voting community about their rights and the services available to them at the polls. When constructing the program, it was critical to create something that contemplated all of the challenges in identifying vulnerabilities in the system and establishing mitigations prior to any voters being negatively impacted or receiving subpar service. As such, I not only trained pollworkers, field trouble-shooters, and observers, but I also established a monthly meeting of a Community Network consisting of city and town clerks, tribal leaders, political party representatives, and members of the various voter advocacy communities.
- 10. In 2013, I was appointed a Commissioner on the Presidential Commission on Election Administration (PCEA) by then-President Barack Obama. This bipartisan effort spent six months holding hearings around the country to look into specific items laid out in the Executive Order establishing the Commission, including voter assistance, language access, and vote by mail administration. In public hearings, stakeholder meetings, and research and reports submitted to the Commission as testimony, we heard about the challenges that some voters were still facing in exercising their right to vote.
- 11. The Commission produced our report "The American Voting Experience" in January of 2014. The report was well received by election officials, legislators, and voter advocates as containing practical, bipartisan solutions to some of the challenges facing our elections. The report is still used authoritatively today.
- 12. From 2014 to 2017, I served as a Senior Fellow at the Bipartisan Policy Center advising their Elections Team on the implementation of the Presidential Commission on Election Administration's recommendations. We convened workshops of large jurisdictions, published

reports on the "New Reality of Voting by Mail" and election day command centers, and established a voter wait time research agenda in collaboration with MIT that, for the first time in the United States, measured the impact of election administration on the voting experience. During those three years I testified in numerous state legislatures, presented at dozens of conferences, and spoke to thousands of election administrators on how to improve election administration and policy.

13. Since 2017 I have been Senior Advisor to the Election Team at the Democracy Fund, an independent, nonpartisan foundation working towards a more equitable election system. In that role, I have dedicated my time and expertise to the continued advancement of the field of election administration by conducting webinars, speaking, and teaching. I have taught at the University of Minnesota's Humphrey School of Public Policy since 2017 and have lectured at Harvard, American University, MIT, and Arizona State University. I am also a frequent speaker at the Election Sciences, Reform, and Administration (ESRA) Conferences. Due to my expertise in voter assistance, language access, and voting by mail, I have testified in the United States Senate and House of Representatives and numerous state legislatures. I often speak or hold webinars for civic engagement groups, am a frequent guest on NPR and PBS News Hour, and serve as a source for many of our largest newspapers and publications.

SECTION 2: VOTER ASSISTANCE

- 14. In this Section, I provide an overview of the principles by which election administrators ensure voters are able to receive meaningful assistance at the polls in casting a ballot. The information in this section is derived from my experience as an election administrator and my research and work supporting election administration and sound election management.
- 15. At the highest level, the assistance that voters receive from assistors of their choice is an integral part of the administration of any elections program. If that connective tissue is jeopardized, if voters are unable to get effective assistance from their person of choice, it influences the administration of the entire program.
- 16. I have lectured and advised jurisdictions across the country on the implementation of effective assistance programs. Prior to the Census Bureau's 2011 Voting Rights Act Section 203 determinations, I worked with Weld County, Colorado and Fairfax County, Virginia. I helped develop pollworker and staff training materials for Sonoma County, California when they launched their language program in 2016. And I established the voter assistance program in Maricopa County, Arizona when I was an election administrator there.

¹ Bipartisan Policy Center. <u>The New Realities of Voting by Mail | Bipartisan Policy Center</u> (June 29, 2016).

² Bipartisan Policy Center. <u>Election Day Commander Centers: An Invaluable Tool in Election Administration | Bipartisan Policy Center</u> (January 22, 2016).

³ Bipartisan Policy Center. <u>Improving The Voter Experience | Bipartisan Policy Center</u> (April 27, 2018).

- 17. When I am reviewing a voter assistance program, there are a handful of primary principles that I have developed to gauge its efficacy, based on my years of experience and study. These principles have been informed by years of work with voter advocacy groups such as the National Disabilities Rights Network and the Arizona Center for Disability Law, and the hearings of the Presidential Commission on Election Administration. They are:
 - 1. Is the availability of assistance services widely disseminated to voters who may need them?
 - 2. Is the assistance unbiased/non-leading?
 - 3. Is the fulfillment of assistance requests timely and equitable?
 - 4. Is the assistance offered in a comprehensive manner for all voting options and methods?
 - 5. Is the assistance responsive to the voter's needs and does it fulfill the voter's wishes?
 - 6. Is the voter's autonomy and humanity maintained in all decision points?
 - 7. Are election officials provided with the proper tools and training commensurate with the import of the task at hand?
 - 8. Are the program's policies, materials, and procedures created in a vacuum, or are voters and the applicable community's experts engaged?
- 18. The foundation of any voter assistance program hinges upon its ability to serve the voting public, so that they are able to successfully navigate the process, and to ensure that the votes cast fully reflect the voter's wishes. For example, the first thing that I did in Maricopa County when establishing the County's voter assistance program was to create a mission statement that would be the guiding star and serve as a reminder of the importance of the job: "Maricopa County Elections Department's Assistance Program strives to ensure equal access to the electoral process for all its citizens and to provide the assistance some voters may require based on physical or mental abilities, mobility concerns, or language skill sets." Setting the proper expectation for voters of what services are available, and training staff and pollworkers to have the tools necessary to engage with the voting public—including supporting those who are assisting voters—are all part of any robust plan.
- 19. An effective assistance program provides eligible voters unencumbered access to assistance at all points of the process. As such, voters should be able to obtain assistance that is responsive to their individual needs. Physical, cognitive, and language barriers to completing the act of voting should not be determinative of voters' ability to successfully participate. Voting is not a literacy test, it is not a cognitive test, it is not a test of linguistic skills, and it is not a test of physical strength, dexterity, or acumen. Voting is the act and process of making one's voice heard in the selection of government representatives and ballot measures, and that act may not only benefit from assistance for some to participate but be reliant upon it.
- 20. There are many voters who rely on the aid of another in casting their ballot. In my experience, voters often bring someone with them when they know beforehand that they will need some help. Whether it be a family member, attendant, care-provider, or friend, voters often have those who aid them in other facets of their life assist them at the polls. These individuals commonly are very familiar with the voter's needs. Assistors provide voters with the assistance needed to effectively cast a ballot successfully reflecting each voter's intention.

- 21. Assistance from an assistor of one's choice can take on even further heightened importance in places where poll staffing is stretched thin. For decades, we have witnessed a migration of inperson voting away from precinct-based polling locations offered for a few hours on a single Election Day. In most states, voters now have options across a voting period and can choose a voting location, due to the growth of voting centers. While both of these administrative polices are recommended in order to provide voters options in where and when to vote, it can provide managerial challenges in staffing, particularly in identifying where language assistance may be necessary. This situation creates an even greater need to support voters when they bring along their own aid.
- 22. The need for voters to have access to assistors of their own choice will only increase in the coming years. According to the National Center for Education Statistics, Texas is rated in the bottom 25% of the states in adult literacy, with Texas counties filling all but two spots on the list of the Bottom 10 Counties. Literacy concerns are aggravated with the elevated language that is used in voting materials and on the ballot itself. When you add in the growing need of an aging population—the Census Bureau projects that the 65-and-older population is estimated to nearly double from 49 million in 2016 to 95 million in 20606—and the systemic underfunding of election offices, the need for voters to have access to assistance from their person of choice has the potential to only increase in the years to come. An election is the largest civic effort done on the national scale. Thousands of election administrators train tens of thousands of permanent staff as well as hundreds of thousands of temporary workers on the intricacies of the election process, as dictated by state and federal law. This is a particularly difficult task, especially given that more than a third of our election offices are part-time duties and only the very largest offices have more than a handful of full-time employees, as demonstrated by the Democracy Fund survey found at Appendix C.

SECTION 3: ANALYSIS OF THE ASSISTOR'S OATH REQUIRED BY SB1

23. Based on my review of SB1, I conclude that the changes to the assistor's oath contained in SB1 are inconsistent with the principles of sound voter assistance laid out above. The attestation that the assistor will confine their assistance to reading the ballot, directing the voter to read the ballot, marking the ballot, or directing the voter to mark the ballot appears to prevent assistors from providing meaningful and often necessary forms of assistance such as answering a voter's questions. The administration of the oath creates challenges for the management of the polling location due to the potential impact on efficient voter processing, increased

⁴ "Summary of Estimates". National Center for Education Statistics. (2020) <u>State and Counties with the Highest and Lowest Levels of Adult Literacy and Numeracy Skills (ed.gov).</u>

⁵ Literacy concerns are particularly problematic given that most ballots use language that ranks far higher than that on the Flesch-Kincaid Grade Level as noted in analysis by Ballotpedia for 2019 and 2021 https://ballotpedia.org/Ballot_measure_readability_scores, 2019 and https://ballotpedia.org/Ballot_measure_readability_scores, 2021.

⁶ Vespa, Jonathan, Lauren Medina, and David M. Armstrong. "Demographic Turning Points for the United States: Population Projections for 2020 to 2060". Page 2. (Revised February 2020).

⁷ DeBonis, Mike and Amy Gardner. "Election experts sound alarms as costs escalate and funding dwindles" *Washington Post*. (February 16, 2022).

demands on pollworkers when they are already difficult to obtain in sufficient numbers and are stretched thin at the polls with other responsibilities, and the enforcement of the statute is unfeasible and without guidance.

24. A thoughtful voter assistance program structure can maintain the integrity and legitimacy of the electoral process without infringing on a voter's ability to obtain assistance should they require it; without the creation of a complex system for voters, assistants, and pollworkers to navigate; without introducing the threat of criminal penalties for offering common sense aid to voters. Comparing SB1 with the principles of voter assistance laid forth above, one can see that the structures in place in Texas after the passage of SB1 violate several of those principles, most notably the fulfillment of assistance being timely and equitable as well as responsive to the voter's needs.

25. Principle 3: Is the fulfillment of assistance requests timely and equitable?

SB1 is likely to cause significant delays in providing assistance given the restrictions on assistors from answering clarifying questions. The bureaucratic hurdle of an expanded oath will impede voters with disabilities, voters with limited English proficiency, and voters who may be both, from having the same voting experience and treatment other voters receive. To my knowledge there is no research that would support the notion that the limitations in the revised oath would improve or maintain the quality of voter assistance or further secure the voting process. What we do know is that there will be demonstrable delays for it will add considerable time to the processing of voters. We know from queuing theory that the addition of even the shortest interval can accumulate and cause what is often referred to as the "elbow of death"—a point in which the line cannot be processed under existing resources in a timely manner and the wait time only continues to grow. This understanding of the implications of even the slightest change in voter-processing policy was exemplified at the 2018 Election Assistance Commission's Election Data Summit by Ms. Michelle White, General Registrar of Voters from Prince William County, Virginia.

26. Principle 5: Is the assistance responsive to the voter needs?

SB1's assistor oath creates a situation unresponsive to voters' needs due to the prevention of assistants from answering voters' questions and sets the stage for voters' needs to go unmet. Clarifying questions can take a number of forms beyond what is listed in the voting instructions.

⁸During the PCEA hearings we heard from MIT Professor Charles Stewart III on the implications in queuing theory of Little's Law which illustrates how wait times escalate once the volume of voters entering the line exceeds the processing capacity. Starting in the 2014 election cycle MIT, the Bipartisan Policy Center, and numerous academics embarked on a rigorous data-collection effort to better understand polling location wait times. One such study, from the 2018 election, is the report "Improving The Voter Experience: Reducing Polling Place Wait Times by Measuring Lines and Managing Polling Place Resources" https://bipartisanpolicy.org/download/?file=/wp-content/uploads/2019/03/Improving-The-Voter-Experience-Reducing-Polling-Place-Wait-Times-by-Measuring-Lines-and-Managing-Polling-Place-Resources.pdf. There are now numerous tools available to demonstrate the impact when just a few additional seconds are introduced in the system.

Although those instructions may demonstrate how to mark the ballot or how many to vote for in a given race, voters often have other questions, for example around the consequences of voting for more (or fewer) candidates than allowed or what happens if they make a mistake marking the ballot or have an errant mark, among other potential questions. The answers to these questions can be determinant in the successfully casting of a ballot. If a voter asks their assistor the question "is there more to vote on the back of the ballot?" or "it says vote for no more than 3, so I can just vote for 2?" it appears an assistor answering those questions would be in violation of the oath, and it is unclear how this would be administered or who would make the judgment calls about what forms of assistance are not permitted, creating administrative problems. Enforcement also has potential voter privacy implications with an impact not only on that voter, but the entire processing flow in the polling location while pollworkers get bogged down with the process. Based on my experience there will be down-stream ramifications with impacts on call centers and hotlines due to increased calls asking for clarification, thus further delaying voter aid. The Texas Secretary of State's Handbook for Election Judges and Clerks leaves many questions around the implementation and administration of the oath as to how it is to be carried out at the polls as well as the enforcement of the new criminal penalties.9

- 27. We know from the recently published instructions from the Secretary of State that observers are not allowed to observe assistance provided by an assistor of choice who is not an election official, but they are if the voter gets assistance from the pollworkers. The voter is put into a position where they have to decide between getting assistance from someone of their choice (but who cannot answer their questions) or subject themselves to outside observation in casting their ballot, abdicate their right to privacy in voting, and have pollworkers help them. Voters may not be aware of this consequence when making their determination. Nothing in the Election Judge Manual advises pollworkers to disclose this to voters; nor is it a required posting in Section 6 on Posting Notices (pages 9-11), so the voters may not be aware of the subjection to observation in casting their ballot by someone who is not a state or county official until they are actively voting.
- 28. In my opinion the changes to the oath violate these basic principles of voting assistance in the prevention of meaningful assistance and have substantive issues with implementation and enforcement. The enforcement of this statute is untenable and complicates the provision of assistance to voters that will satisfy their needs

SECTION 4: VOTE BY MAIL ADMINISTRATION

29. In this Section, I provide background and contextual information for my evaluation of the vote-by-mail provisions of SB1.

⁹ Indeed, the Texas Secretary of State's Handbook for Election Judges and Clerk's manual states "An inspector may not observe the preparation of the ballot of a voter not being assisted by an election officer [34.002(b)]" page 18 (Section D4), and again on page 48 (Section D, 4g) in reference to both inspectors and pollwatchers.

¹⁰ Texas Secretary of State's Election Judges manual, pages 17 (section 6l) and 48 (section 4g).

- 30. Americans have been voting by mail since the Civil War. Every state has some portion of citizens who vote using this method of voting; the proportion is directly related to the onerousness of the application process in that state. Voters' ability to successfully navigate the process and submit a ballot that is ultimately counted depends on return options and acceptance protocols. For years, tens of millions of American voters have had their ballots handed to them by a United States Postal worker, not a pollworker. According to the Vote at Home Institute, with the expansion of states moving to all vote by mail elections and the number of voters on permanent early voting lists, one in three voters will have their ballots mailed out to them automatically in the 2022 midterm elections. This is in stark contrast with the handful of states that still require voters to provide an excuse to receive their ballot by mail.
- 31. As with all things related to election administration, each step in the vote-by-mail process builds upon the one preceding it. Vote by Mail can be defined in four main stages¹¹:
 - 1. Application options and requirements
 - 2. Voter identification and authentication
 - 3. Ballot return
 - 4. Processing and verification

These principles apply to every state, no matter how many voters they have voting by mail. If we look at what is most prevalent across the country and compare that to the new regime under SB1, we quickly see that the new construct is an outlier, creates unnecessary barriers, and will continue to be detrimental to eligible Texans attempting to access the franchise.

Application Options and Requirements

32. Access to the application process does not imply a lack of security of the process. States can, and must, have election policies that are both open and secure; these are not mutually exclusive. Administering an election in a global pandemic demonstrated the need for voters to know all of their options in voting and what the requirements are for their participation. We saw record engagement in the 2020 election cycle not just due to an expansion of options for voters, but in many states due to official messaging around the process that set accurate expectations for what was necessary to successfully navigate requirements. Many states have adopted voter-centric policies to govern their administration of absentee and vote by mail voting by establishing reasons to accept an application, or doing away with the application process entirely, rather than to use it as an opportunity to reject the request.

Voter Identification and Authentication of the Application

33. When processing a ballot application an election administrator must identify that the correct record is being worked and that the application is authentic. The information being used is most often simply to inform that the correct record is being reviewed. Whether a voter is requesting a ballot on an application for a specific election, or for a given calendar year, the information that they provide *in its totality* validates their identity. The voter validation process should be

¹¹ These four stages are based upon the comprehensive "America's Election Model: Architecture of American Elections" NIST-EAC Interoperability Election Modeling Working Group Revision: 0.2 (June 11,2019) https://pages.nist.gov/ElectionModeling/ElectionProcessModel.pdf.

inclusive of reviewing a combination of pieces of information available to an election administrator or pollworker which may include: first/middle/last name, date of birth, mother's maiden name, county of birth, driver's license or non-operating identification number, last four of social security number, tribal identification number, handwriting sample (such as the completion of previous forms and requests)—the cumulative review of all fields on a voter registration form or ballot application informs voter identity. Not all states require a written application to be completed, or even a written request. Online and telephonic applications allow additional access points to voters and can utilize other identification elements such as personal knowledge of the voter (i.e. knowing the voter's voice) that can substantiate the voter's identity.

- 34. Signature verification is the most common method of voter authentication and is sufficient for authentication of a ballot request. A signature or identifying mark is something that voters inherently have the ability to provide without it having to be provided to them, or have a path to be assisted in providing from someone of their choice. A voter will not misstate their own signature. That is not to say that signatures are static. Forensic training tells us that signatures mature around the age of 25 and begin to degrade as a person ages, typically in their 70s or 80s. Temporary situations also arise that can cause a signature to vary: normal writing hand in a cast, so voter is using their other hand, an uneven writing surface, etc. Most signature rejections on applications and ballot affidavits are from eligible voters who either omitted their signature or had a situation arise that prevented them from signing as they usually do. A signature is the typical means for a voter to certify the accuracy of the rest of the information they put on an application or carrier envelope. By contrast, the rejection or acceptance of an application hinging on the provision of a single data point that must be obtained by a government agency and can be subject to clerical error, transcription, and misinterpretation is problematic and contrary to sound election administration principles.
- 35. Voter authentication is an important part of maintaining the integrity of an election system, but it does not outweigh the need to ensure that eligible voters are able to engage. As mentioned previously, in my experience I have seen that authentication can, and should, contemplate the totality of information from the voter—various data fields and even various forms and documents. The prerequisite of a single data point as cause for rejection is problematic if other authentication elements are present (such as the signature). It is standard protocol for election officials to augment voter applications with corrected or omitted information after reaching out to the voter. Indeed, this is as much a security measure as it is good customer service and proper use of public funds. If someone had a request for a ballot made on their behalf without their knowledge, this voter authentication process of following up with the voter is the perfect

¹² Because this process is best understood by the general public, the NIST Working Group on Interoperability agreed that it should be one of six processes that plain-language slides were created for from the NIST "America's Election Model" report. The resulting slide deck is available publicly on electionline.org. The "Receive and Process Ballot Packets" https://electionline.org/resources/fig-48-receive-and-process-ballot-packages/.

way to find that out. Clarifying information with the voter enhances the security of the system by hearing directly from the voter why the signature was missing or mismatched.

SECTION 5: VOTE BY MAIL ADMINISTRATION UNDER SB1

- 36. The creation of a single point of failure for applicants who are unable to, or who do not, provide the same number that is on the voter's registration record, is a clear construction of a barrier in the process. A December 20, 2021 news article in the Texas Tribune reported that there were 702,257 records that only had one of the necessary numbers on file and 106,911 that didn't have either of the required numbers. A voter's signature is sufficient for other facets of engagement with the government, but not for requesting, or returning, a ballot. A voter's signature is sufficient for signing candidate nomination petitions—without the additional listing of one of the sanctioned numbers required under SB1, but not to request a ballot in order to vote for that candidate. We are already seeing the results of this overly prescriptive and limited acceptance policy in the increase in application and ballot rejections. Throughout the lead-up to the 2020 Primary Election there have been news reports of substantial increases in the rejection rates of both applications for ballots as well as the voted ballots, based not on the voters' ineligibility to vote, but due to being rejected based on the single point of data required under the new requirements post-SB1 implementation.
- 37. There are sound oversight practices in vote by mail administration that are comprehensive and do not result in mass rejections of applications. Quality control of the authentication process as well as the verification of signatures is critical. Administrative supervision that includes capturing contemporaneous data on staff at each step of the process to know if there are "acceptors" (those who say every application or signature is fine) or "rejecters" (those who are overly strict in their interpretation and statistically reject a higher rate than they should), along with a tiered oversight of the process ensures that it isn't a single person's interpretation that prevents a voter from obtaining a ballot or having their ballot be rejected/accepted. Voter registration and election management systems that archive and retain clipped images of all forms and applications as well as signatures from registers, rosters, petitions, and ballot affidavits improve the reviewer's ability to identify anomalous entries and flag potential issues without denying an eligible voter their vote. These administrative policies are commonplace across the country and have kept the vote by mail process secure without locking voters out, without inordinately high rejection rates of applications and ballots based on a single point of failure.

SECTION 6: CONCLUSION

38. The American voter has diverse needs that require a comprehensive menu of solutions. There are two paths. The first path is what the best programs have done—they provide training and tools so that workers are prepared to assist voters and their aids, they cover all the service channels and educate the public on their available options, practices and policies are transparent and known. The second path does not follow these workable and protective

11

¹³ Alexa Ura, "Hundreds of mail-in ballot applications are being rejected under Texas' new voting rules", *Texas Tribune* (January 12. 2022).

principles. This is the path that legislation such as SB1 takes with its creation of bureaucratic hurdles and the resulting obstacles for voters.

- 39. In my opinion, the expansion of the assistor oath does not provide a security benefit to justify the resulting interference with on access to adequate assistance. Similarly, the vote by mail ballot application requirements are onerous and unnecessary to identify the qualifications of, and authenticate, an eligible voter.
- 40. It bears repeating that across both provisions, SB1 erects unnecessary barriers for Texas voters needing assistance at the polls and for those wishing to cast absentee ballots. The oath requirement preventing assistors from answering voter's questions violates basic principles of voting assistance and has substantive issues with implementation and enforcement, and the vote by mail identifying number requirement results in the rejection of applications and ballots by qualified voters.

I declare under penalty of perjury that the foregoing is true and correct.

Date: February 28, 2022.

Signed: Tanny Patrick

Tammy Patrick

Executed in: St. Mary's County, Maryland

APPENDIX A: Disclosure of Publications

• 2022

- Co-authored with Lindsay Daniels, Journal of Election Administration Research and Practice, (estimated publication in March 2022)
- Co-authored with Becky Stewart, "Now Live: Democracy Fund's Language Access for Voters Summit Landing Page" electionlineWeekly (February 17th, 2022) https://electionline.org/electionline-weekly/

• 2021

- "Additional Thoughts from Panelists on Election Reform Issues", Conference Report The Carter-Baker Commission: 16 Years Later" (October, 2021)
- "Language Access for Voters" electionlineWeekly (September 16, 2021) https://electionline.org/electionline-weekly/2021/09-16/

• 2020

- "Every Election Has a Story to Tell, Story of 2020 Still Being Written, but Some Chapters are Done" electionlineWeekly (November 19, 2020) https://electionline.org/electionline-weekly/2020/11-19/
- "New Post Master General Issues Directive" electionlineWeekly (July 30, 2020) https://electionline.org/electionline-weekly/2020/07-30/#tab-2
- "Election Day Command Centers: A National Snapshot" electionlineWeekly (March 12, 2020) https://electionline.org/electionline-weekly/2020/03-12/
- Co-authored with David Levine. "Here's Why the U.S. Can Handle Voter Intimidation", The Fulcrum, (October 30, 2020) https://thefulcrum.us/election-dissection/report-voter-intimidation

• 2019 -2021

 Jennifer Morrell. "Knowing It's Right" series on post-election audits including "Part One: Practical Guide to Risk Limiting Audits" introduction, Democracy Fund https://democracyfund.org/idea/knowing-its-right-limiting-the-risk-of-certifying-elections/

• 2019

- Co-authored with Katy Owens-Hubler. "Building Terminology in the Field" Chapter 6 in The Future of Election Administration https://www.springerprofessional.de/en/the-future-of-election-administration/16853420
- "Tammy's Blog: Incoming! Voter Registration Application Data" *electionlineWeekly* (December 5, 2019) https://electionline.org/electionline-weekly/2019/12-05/#tab-2
- "Disaster Narrowly Averted: U.S. to Remain in the Universal Postal Union" electionlineWeekly (September 26, 2019) https://electionline.org/electionline-weekly/2019/09-26/
- "Leave No Voter Behind: Implications of the U.S. Withdrawal from the Universal Postal Union" electionlineWeekly (August 1, 2019) https://electionline.org/electionline-weekly/2019/08-01/
- "Knowing It's Right, Limiting the Risk of Certifying the Wrong Winner" electionlineWeekly (May 23, 2019) https://electionline.org/electionline-weekly/2019/05-23/

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 "Reflections on Election: Communication, Collaboration, and Commitment" electionlineWeekly (November 29, 2018) https://electionline.org/electionline-weekly/2018/11-29/

- "Tammy's Blog: ADA Compliance at the Polls: What Everyone Needs to Know about Accessible Elections and Voters' Rights" electionlineWeekly (November 1, 2018) https://electionline.org/electionline-weekly/2018/11-01/#tab-2
- "Tammy's Blog: My 2018 Summer Vacation" electionlineWeekly (October 11, 2018)
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- "An Opportunity to Make Every Vote Count" Governing Magazine (August 7, 2018)
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- "National Postal Forum 2018: Who? What? Where? When? & Why?" electionlineWeekly (May 17, 2018) https://electionline.org/electionline-weekly/2018/05-17/
- Co-Authored with Stacey Scholl. "Electionline.org Joins Democracy Fund" electionlineWeekly (January 4, 2018) https://electionline.org/electionline-weekly/2018/01-04/

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- "You've Got Mail! Electionmail: Be Part of the Solution" electionlineWeekly (February 9, 2017) https://electionline.org/electionline-weekly/2017/02-09/
- o "In Focus this Week Exit Interview: Helen Purcell" *electionlineWeekly* (January 26, 2017) https://electionline.org/electionline-weekly/2017/01-26/

2016

"The New Realities in Election Mail" by the Bipartisan Policy Center https://bipartisanpolicy.org/report/voting-by-mail/

2015

- Council of State Governments Policy Working Group. "Recommendations from the CSG Overseas Voting Initiative Policy Working Group" Council of State Governments, https://ovi.csg.org/wp-content/uploads/2019/08/CSG-OVI-Recommendations-Report-Updated.pdf
- "Clarion Call: Voter Registration Modernization" in Council of State Government's 2015
 Book of the States.
- o "First Person Singular: Tammy Patrick, Traveling the Country, Listening to Election Folks and Some Music" *electionlineWeekly* (June 4, 2015)

• 2014

Presidential Commission on Election Administration, "American Voting Experience: Report and Recommendations of the Presidential Commission on Election Administration" (January 22, 2014)
https://web.mit.edu/supportthevoter/www/files/2014/01/Amer-Voting-Exper-final-draft-01-09-14-508.pdf

2013

"U.S. Elections Face a Crossroads on Rights and Technology" Forbes online (November 10, 2013) https://techonomy.com/u-s-elections-face-crossroads-rights-technology/

• 2012

o "Administrative Burden: Perspective of a Western County" in the *Public Administration Review journal* of the American Society of Public Administrators (Volume 72, Number 5) https://onlinelibrary.wiley.com/doi/10.1111/j.1540-6210.2012.02619.x

APPENDIX B: Tammy Patrick CV

Education:

- 1991 Purdue University, Bachelor's Degree in American Studies
- 2007 Auburn University, Certified Election Registration Administrator (CERA)

Election Experience-Employment

- 2017+ Senior Advisor to the Election team at the Democracy Fund
- 2016+ University of Minnesota Adjunct Professor, Humphrey School of Public Policy
- 2014-2017 Democracy Project Fellow with the Bipartisan Policy Center
- 2003-2014 Federal Compliance Officer for Maricopa County Elections Department
 - o Responsible for the Election Department's Voting Rights Act Section 5 submissions.
 - Oversaw voting assistance and materials in Braille, ASL, Spanish, and Tohono O'odham and organized the 2007 Native American Voter Outreach Summit.

Election Experience—Awards & Recognition

- 2013 Commissioner on the Presidential Commission on Election Administration, appointed by President Barack Obama
- 2016 USPS creation of ballot-specific Service Type IDs to improve the visibility of ballots in the mail stream
- 2016 National Association County Recorders Election Officials and Clerks Best Practices Award, "Disaster Recovery Plan"
- 2008 Arizona Disability Advocacy Coalition ADA Liberty Patriot Award
- 2008 National Association of Counties Achievement Award, "Maricopa County's Voter Assistance Website"
- **2007** Harvard Kennedy School of Government's Ash Institute Top 50 Innovations in Government, "Election Reporting System"
- **2007** Harvard Kennedy School of Government's Ash Institute Top 50 Innovations in Government Bright Ideas Award, "Election Reporting System"
- 2007 Election Center's Professional Practice Award, "Election Reporting System"
- 2007 National Association of Counties Achievement Award, "Election Reporting System"
- 2006 National Association of Counties Best in Category Award in the County Administration and Management Category, "Voter Language Assistance Proficiency Assurance Program"
- **2006** National Association of Counties Achievement Award, "Voter Assistance and Boardworker Enhancement Training Program"
- **2005** National Association of Counties Achievement Award, "Voter Assistance and Boardworker Enhancement Training Program"

Election Experience-Boards & Working Groups

- 2021+ Haas Jr. Foundation Working Group on Language Access
- 2021+ Microsoft Working Group on Vote by Mail Security
- 2020 Virginia Commonwealth Task Force on 2020 Elections
- **2019+** Protect Democracy National Task Force on Electoral Crisis
- 2019+ National Vote at Home Circle of Advisors
- **2019+** University of Minnesota Humphrey School of Public Administration: Election program steering committee
- 2019+ State of Michigan Election Modernization Advisory Committee

- 2017+ State of California Task Force on Voter Choice Act
- 2017+ Election Center Security Task Force Member
- 2017+ Center for Civic Design Board of Advisors
- 2017+ National States Geographic Information Council Circle of Advisors
- 2017+ Advisory Board for the MIT Election Data and Science Lab
- 2016+ State of Washington Postal Task Force
- 2016+ EAC Standards Board Postal Committee Advisor, 2016-present
- 2015+ National Voter Registration Day Steering Committee
- 2014+ Center for Technology in Civic Life Board of Directors, 2014-present
- 2014-2018 Council of State Governments Policy Working Group
- 2012+ IEEE/EAC/NIST Working Group on common data formats & interoperability
- 2010+ United States Postal Service Mailers Technical Advisory Committee
- 2010+ Election Center Postal Committee
- 2010-2018 Pew Advisory Board for the creation of the Elections Performance Index
- 2007-2009 Election Assistance Commission's working group on Language Assistance for Unwritten Languages
- 2006-2009 Election Center's National Task Force on Education and Training
- **2005+** Election Center Legislative Committee

Election Experience-Testimony & Legislation

- **2022** City of Philadelphia, testimony on Resolution #210657 for expansion of language access requirements
- 2021 United States Senate, written testimony on John Lewis Voting Rights Act Reauthorization
- **2020** United States House of Representatives, Homeland Security Committee testified in hearing on absentee/voting by mail/electionmail
- **2020** United States House of Representatives, House Administration Committee written testimony on absentee/voting by mail/electionmail
- **2016-2019** United States Department of Justice, Civil Rights Division subject matter expert report on voter accessibility and then settlement implementation support to jurisdiction
- 2015 United States Senate, Senate Rules Committee hearing on voter registration
- 2010 National Conference of Commissioners on Uniform State Law's Uniform Military and Overseas Voters Act active observer and contributor
- 2008-2017 Testified in state legislatures on online voter registration (Florida, Ohio, Rhode Island, Wisconsin); consolidation of election dates (Kansas); professionalization of election administration (Connecticut), expansion of voting options and vote by mail administration (California)
- 2007 United States House of Representatives, Administration Elections Subcommittee, hearing on election audits

Election Experience-Publication

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"The New Realities in Election Mail" by the Bipartisan Policy Center https://bipartisanpolicy.org/report/voting-by-mail/

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- Council of State Governments Policy Working Group. "Recommendations from the CSG Overseas Voting Initiative Policy Working Group" Council of State Governments, https://ovi.csg.org/wp-content/uploads/2019/08/CSG-OVI-Recommendations-Report-Updated.pdf
- "Clarion Call: Voter Registration Modernization" in Council of State Government's 2015 Book of the States.
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 "U.S. Elections Face a Crossroads on Rights and Technology" Forbes online (November 10, 2013) https://technology/

2012

o "Administrative Burden: Perspective of a Western County" in the *Public Administration Review j*ournal of the American Society of Public Administrators (Volume 72, Number 5) https://onlinelibrary.wiley.com/doi/10.1111/j.1540-6210.2012.02619.x

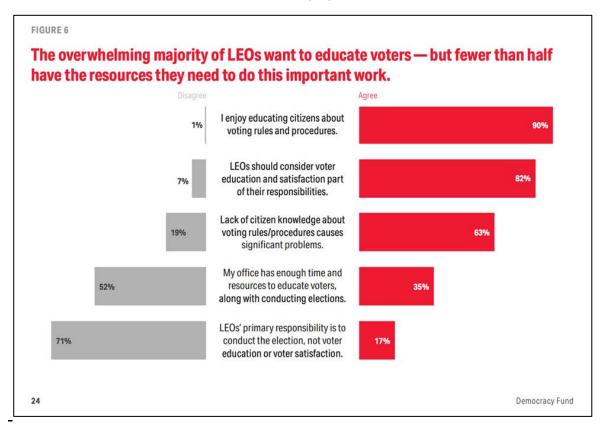
Election Experience-Communications & Presentations Highlights

- Print News: Washington Post, New York Times, Los Angeles Times, Chicago Tribune, Boston Herald, USA Today, Huffington Post, Politico, Mother Jones, Wall Street Journal, the Guardian, AP, Reuters, Bloomberg News
- Magazines: TIME, Atlantic, People, Forbes, New Yorker
- **Television**: ABC, BBC, CBS This Morning & CBS Evening News, CNN, NBC, MSNBC, NY1, PBS News Hour (election expert for the 2020 Presidential Election), Univision, Al Jazeera
- Radio: NPR
- 2021 "Electoral Reforms and Democracy" panelist, Global Forum on Democracy

- 2021 "Securing Democracy Through Election" panelist, Department of Homeland Security CISA Cybersecurity Summit
- 2020 International Foundation for Electoral Systems
- 2019 Carter Center
- **2016** "Delivering Democracy" webinar presented at the National Postal Forum and Ms. Patrick became the only non-postal employee to present to their operational leadership team
- **2011** "UOCAVA Voter Trend Analysis and Risk Assessment" presented to the Technical Guidelines Development Committee at the National Institute of Science and Technology
- 2010+ Speaker, panelist, discussant, keynote at national conferences for Election Center, National Association of State Elections Directors, National Association of Secretaries of State, National Conference of State Legislatures, International Association of Government Officials, United States Election Assistance Commission, National Postal Forum

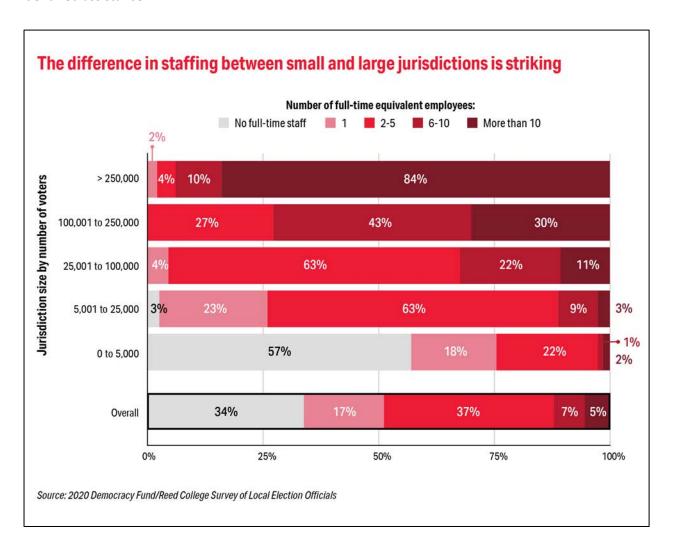
APPENDIX C:

2019 Democracy Fund/Reed College Survey of Local Election Officials Figure 6 highlights the important role that voter education, assistance, and services play in the hearts and minds of election officials:



APPENDIX D:

2020 Democracy Fund/Reed College Survey of Local Election Officials highlights the staffing inequities across jurisdiction sizes. Small jurisdictions, often those that are rural, are disproportionately impacted by not having any full-time staff in the majority of offices. Voters in these areas need to rely on self-identified assistance.



APPENDIX E:

2020 Democracy Fund/Reed College Survey of Local Election Officials documented the challenges that election officials were experiencing in securing bilingual pollworkers, a situation that only further highlights the impact restrictions on voter-chosen assistants can have on their ability to participate.

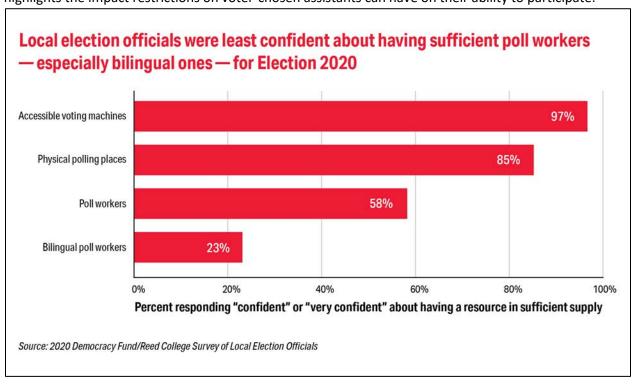


Exhibit 6

Texas Primary Supplement to Report Voting Assistance & Vote by Mail

La Union del Pueblo Entero et al. v. State of Texas et al. Tammy Patrick

1. On February 28, 2022, I submitted a report entitled "Voting Assistance & Vote By Mail" in connection with the case *La Unión del Pueblo Entero et al. v. State of Texas et al.*, which I will refer to here as the "Original Report." This report supplements and extends the Original Report based on facts and data related to voting by mail from Texas' March 1, 2022, primary election, the first statewide election conducted under the provisions of SB1.¹

Introduction & Summary of Conclusions

- 2. The implementation of SB1 has caused rejection rates of both applications for ballots by mail as well as ballot carrier envelopes to exceed normal rejection rates. This supplement applies data and individual accounts from the March 2022 primary election in Texas to the analysis of my Original Report. What I have observed tends to support the claim that SB1 creates unnecessary barriers to eligible Texas voters to participate in the franchise.
- 3. Issues anticipated in the Original Report with voters being able to comply with the new requirements under SB1 in applying for an absentee ballot and completing a ballot carrier envelope manifested in rejection numbers exceeding both the national trends as well as Texas' historical trends. News outlets have chronicled these issues since early this year. During the March 17, 2022, United States House of Representatives Committee on House Administration Subcommittee on Elections hearing "Voting in America: Ensuring Free and Fair Access to the Ballot in Texas," Travis County Judge Andy Brown testified that the numeric match requirement "created the largest ballot related challenges that Travis County faced in preparation for the March 1st primary".
- 4. Counties across Texas appear to have faced similar challenges in implementing SB1 and in educating their voters of the new requirements.

Analysis

5. Mail voting rates in the 2022 primaries were lower than in Texas' 2018 primary election, a comparable midterm election, as well as the more recent 2020 primary election as demonstrated by Figure 1 and Figure 2 from Professor Charles Stewart and the MIT Election Data and Science Lab:³

¹ My required disclosures are located at paragraphs 5-7 and Appendix A of my Original Report.

² Brown, Andy. "Statement of Andy Brown, Travis County Judge, Travis County Texas". Page 4. United States House of Representatives Committee on House Administration Subcommittee on Elections Hearing. (March 17, 2022)

³ Professor Charles Stewart, III. MIT Election Data and Science Lab (MEDSL). Tweet thread on March 18, 2022. https://twitter.com/cstewartiii/status/1498796363399589890

Figure 1.

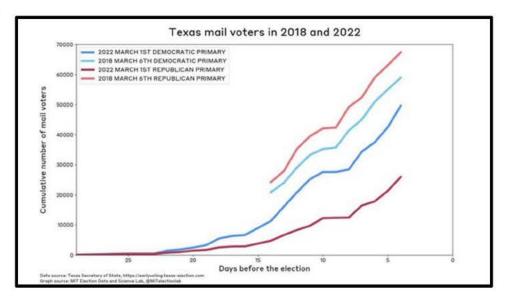
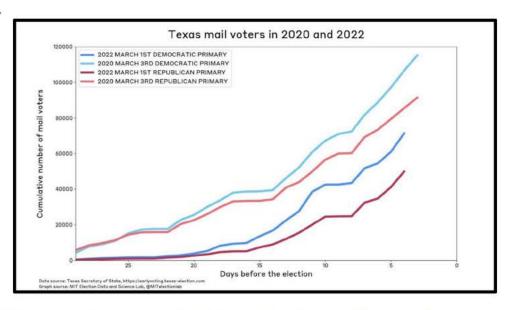


Figure 2.



6. SB1 has caused Texas rejection rates to substantially exceed the national average in the first election after it was enacted. Data from the United States Election Assistance Commission demonstrates that national rejection rates tend to hover around 1% of the ballots returned as demonstrated in Figure 3:4

⁴United States Election Assistance Commission EAVs Survey data from 2020, Election 2020 at Page 36 (page 46 of PDF): https://www.eac.gov/sites/default/files/document_library/files/2020_EAVS_Report_Final_508c.pdf
United States Election Assistance Commission EAVs Survey data from 2018, 2018 at Page 30 (page 39 of PDF): https://www.eac.gov/sites/default/files/eac_assets/1/6/2018_EAVS_Report.pdf

United States Election Assistance Commission EAVs Survey data from 2016,,2016 at Page 25 (Page 31 of PDF): https://www.eac.gov/sites/default/files/eac assets/1/6/2016 EAVS Comprehensive Report.pdf Chart from "Election Results, 2020 Rejected Ballots." Ballotpedia website

https://ballotpedia.org/Election results, 2020: Analysis of rejected ballots#cite note-2 (September 10, 2021)

Figure 3.

Absentee/mail-in ballot figures, 2016-2020						
Year	Overall turnout	Ballots returned	Ballots rejected	Rejection rate ^[2]		
2020	161,303,109	70,550,699	560,177	0.8%		
2018	120,314,461	30,377,407	430,190	1.4%		
2016	140,114,503	33,378,450	318,728	1.0%		

The higher rejection rate in Texas appears to be directly attributable to the implementation of SB1. In the most recent elections prior to SB1's implementation, Texas' mail-in ballot rejection rates were less than 1% in the 2020 general and less than 2% in the 2018 midterm.⁵ With SB1 implemented, the rejection rates have increased to more than 12%, based on data from the Secretary of State's office.⁶ I have not seen any other intervening changes in the law or in administrative practice between the 2018 election and the March 1, 2022 primaries that have been suggested as the reason for this increase in rejections other than SB1. Election officials at both the state and local level attributed the increase to the new requirements under SB1.⁷ For example, Travis County Judge Andy Brown said, "Travis County received 11,600 mail-in ballots in the 2022 primaries that we just had. Despite significant effort by our county team, we saw a 600 percent increase in the number of rejected ballots because of the criteria in SB1."⁸

7. Counties throughout Texas experienced a significant rise in the rejection of voters' ballots. As mentioned, according to the Election Assistance Commission data, in 2018 less than 2% of ballots were rejected statewide in Texas and that number was even lower in 2020 when it was less than 1%. That was not the case in the 2022 primary. "The rate of rejections is unprecedented in our county and, from what I'm hearing from my colleagues, in other counties as well." Chris Davis, Williamson County elections administrator. Indeed, Mr. Davis' statement is supported by the information in Figure 4, below, which shows statistics collected by the Texas Civil Rights Project for use in their Congressional testimony during the March 17th subcommittee hearing referenced in Paragraph 3 of this supplemental report. The statistics in that testimony are largely based on an Associated Press survey of the 254 Texas counties, of which 187 counties responded, and supported by the sources I cite below: 11

⁵ United States Election Assistance Commission EAVs Survey data from 2020 https://www.eac.gov/sites/default/files/EAVS%202020/2020 EAVS for Public Release V2.xlsx and 2018 https://www.eac.gov/sites/default/files/Research/EAVS 2018 for Public Release Updates3.xlsx .

⁶ Ura, Alexa. "More than 12% of mail-in ballots were rejected in Texas under new GOP voting rules, final tally shows". *Texas Tribune*. (April 6, 2022) https://www.texastribune.org/2022/04/06/texas-mail-in-ballot-rejection-voting/

⁷Lopez, Ashley. "In Texas, thousands of mail ballots were rejected following new ID requirements". KUT90.5. (March 16, 2022).

⁸Smalley, Seth. "Travis County Judge Speaks Out Against Texas Voting Law". *Austin Monitor*. (March 21, 2022) https://www.austinmonitor.com/stories/2022/03/travis-county-judge-speaks-out-against-sb-1/

⁹Alexa Ura and Mandi Cai. "At Least 18,000 Texas Mail-in Votes Were Rejected in the First Election Under New GOP Voting Rules." *Texas Tribune*. (March 11, 2022) https://www.hppr.org/hppr-news/2022-03-15/at-least-18-000-texas-mail-in-votes-were-rejected-in-the-first-election-under-new-gop-voting-rules
¹⁰Id.

¹¹ Paul J. Weber and Acacia Coronado. "Texas Mail Ballot Rejections Soar Under New Restrictions". *Associated Press*. (March 16, 2022). https://apnews.com/45ba51fe9dd951a0f82015bd6bd9ff41

Figure 4.

County	Vote by mail rejection rate in 2022 Texas Primary
Bexar ¹²	22% (approximately 4,000 ballots)
Collin ¹³	13.7% (828 ballots)
Dallas ¹⁴	6.5% (694 ballots)
El Paso ¹⁵	16% (725 ballots)
Harris ¹⁶	19% (6,919 ballots)
Hays ¹⁷	8.2% (208 ballots)
Hidalgo ¹⁸	19.4% (526 ballots)
Travis ¹⁹	8% (approximately 900 ballots)
Williamson ²⁰	11.5% (521 ballots)

Of those ballots that were rejected, reporting shows that the vast majority of them were rejected as a direct result of SB1:

Figure 5²¹.

County	Percentage of rejected mail ballots thrown out for failing to satisfy Texas Senate Bill 1's new vote by mail identification requirement				
Dallas	98%				
El Paso	94%				
Harris	99.6%				
Hays	99.5%				
Williamson	73%				

8. Often when legislation affecting election administration is passed, it is left to state and local election officials to figure out how to implement the new law. SB1, with its immediate implementation deadline, did not allow sufficient time or provide sufficient resources to address

¹² Alexa Ura and Mandi Cai. "At Least 18,000 Texas Mail-in Votes Were Rejected in the First Election Under New GOP Voting Rules." Texas Tribune. (March 11, 2022) https://www.hppr.org/hppr-news/2022-03-15/at-least-18-000-texas-mail-in-votes-were-rejected-in-the-first-election-under-new-gop-voting-rules

¹³ Matt Shuham and Kate Riga," It's Official: Texas Republicans' New Voting Law Disenfranchised Thousands Of Otherwise Eligible Voters", *Talking Points Memo* (Mar. 10, 2022), https://talkingpointsmemo.com/news/texas-voting-law-sb1-primary-election

¹⁴ Alexa Ura and Mandi Cai. "At Least 18,000 Texas Mail-in Votes Were Rejected in the First Election Under New GOP Voting Rules." Texas Tribune. (March 11, 2022) https://www.texastribune.org/2022/04/06/texas-mail-in-ballot-rejection-voting/

¹⁵ *Id*.

¹⁶ *Id*.

¹⁷ Id.

¹⁸ *Id*.

¹⁹ Lopez, Ashley." It's official: Texas' new voting law led to higher rejection rates for mail-in ballots in Central Texas", KUT.org (Mar. 10, 2022), https://www.kut.org/politics/2022-03-10/its-official-texas-new-voting-law-led-to-higher-rejection-rates-for-mail-in-ballots-in-central-texas.

²⁰ Alexa Ura and Mandi Cai. "At Least 18,000 Texas Mail-in Votes Were Rejected in the First Election Under New GOP Voting Rules." Texas Tribune. (March 11, 2022) https://www.hppr.org/hppr-news/2022-03-15/at-least-18-000-texas-mail-in-votes-were-rejected-in-the-first-election-under-new-gop-voting-rules
https://www.hppr.org/hppr-news/2022-03-15/at-least-18-000-texas-mail-in-votes-were-rejected-in-the-first-election-under-new-gop-voting-rules
https://www.hppr.org/hppr-news/2022-03-15/at-least-18-000-texas-mail-in-votes-were-rejected-in-the-first-election-under-new-gop-voting-rules">https://www.hppr.org/hppr-news/2022-03-15/at-least-18-000-texas-mail-in-votes-were-rejected-in-the-first-election-under-new-gop-voting-rules

foreseeable implementation issues, and it appears those issues may not be solvable for all voters. In particular, thousands of Texans do not have the newly required ID numbers in their records and did not have adequate time to remedy that conflict: "More than 700,000 voters lacked one of those ID numbers on their voter records as of December 20 and another 106,911 didn't have either number."22 It is easy to see why "county election officials blamed high rejection rates in the primary on confusion over new identification requirements for absentee voting and rushed implementation."²³ I have read the report prepared by Dr. Eitan Hersh in connection with this lawsuit, and based on that report, it appears many voters will continue to have problems in future elections due to the omissions and errors in the database that continue to exist, of which many voters who attempt to vote by mail in the future will not be aware until they attempt to vote, and would result in their ballots being reject even if they provide accurate information. I also am not aware of any new or revised forms of any type or educational materials prepared for Texas' May 7th municipal elections or May 24th runoff elections, ²⁴ no press releases regarding the lessons learned or plans for improvement prior to the May elections²⁵, no publicly available new webinars²⁶, or any news advisories²⁷ that attempt to remedy the issues seen in the March primary. Given the prevalence of issues laid out by Dr. Hersh in his report, and the number of voters he identifies with insufficient records, it is unreasonable to believe that election officials will be able to expeditiously remedy those insufficiencies and mitigate the negative impact of SB1. Many eligible voters will be unable to vote in future elections despite their best efforts.

- 9. Like the Texas electorate itself, the profile of the voters who experienced the rejection of their ballots is diverse. The MIT Election Data and Science Lab used the most populated counties' websites to analyze the impact of SB1 on the party primaries. Reporting at the county level varies, with some counties separating each party election as a separate entity, while other county data combines the parties into a single statistic for the primary election.²⁸
- 10. The final numbers from the Texas Secretary of State reflect that of the 24,636 rejected mail ballots there were 14,281 belonging to voters attempting to vote in the Democratic primary (12.9% rejection rate in that election) and 10,355 were voters in the Republican primary (for an 11.8% rate in that primary). However, there are numerous examples of counties across the state where that overall impact trended the opposite direction from the statewide result or varied depending on the focus of overall numbers versus percentage of rejections in the specific party primary. One such example is from Smith County, where a higher percentage of the Republican ballots were rejected—9.6% compared to 8.4% of ballots rejected in the Democratic primary although the numbers were

²² Id.

²³ Mekelburg, Madlin. "Voting Advocates Warn Congress of 'Dire' November Election Under New Texas Election Law". *Austin American-Statesman*. (March 18, 2022.) https://www.yahoo.com/entertainment/voting-advocates-warn-congress-dire-142420545.html

²⁴ https://www.sos.state.tx.us/elections/forms/pol-sub/index.shtml#chapter-5

²⁵ https://www.sos.state.tx.us/about/newsreleases/

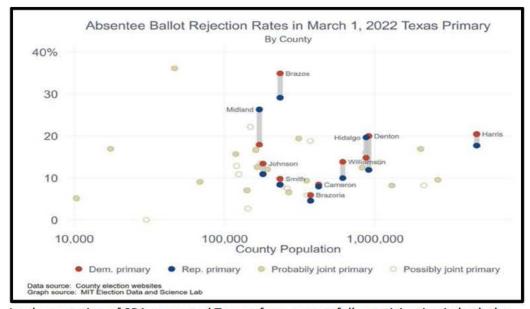
²⁶ (https://www.sos.state.tx.us/elections/laws/education-resources.shtml

²⁷ https://www.sos.state.tx.us/elections/laws/election-division-advisories.shtml

²⁸ Professor Charles Stewart, iii. MIT Election Data and Science Lab (MEDSL). Tweet thread on March 18, 2022. https://twitter.com/cstewartiii/status/1504898894978641922

²⁹ Ura, Alexa. "More than 12% of mail-in ballots were rejected in Texas under new GOP voting rules, final tally shows". Texas Tribune. (April 6, 2022) https://www.texastribune.org/2022/04/06/texas-mail-in-ballot-rejection-voting/

higher in that primary with 63 rejections compared to the 62 ballots rejected in the Republican primary.³⁰



- 11. Implementation of SB1 prevented Texans from successfully participating in both the Republican and Democratic Primaries. In the data reported to the Associated Press it appeared as though the "rejection rate was higher in counties that lean Democratic (15.1%) than Republican (9.1%).³¹ Yet, looking at the data by the top five counties won by each of the former 2020 candidates, "in the five counties won by Trump that had the most mail-in votes, a combined 4,216 mailed ballots were rejected or still pending after the day of the election, a rate of 21% of the total. In the counties won by Biden with the most mail-in voters, which include most of Texas' biggest cities, a combined 11,190 votes were similarly rejected or pending, which amounted to 13%."³² Thirteen percent was the state average, but it varied widely across the state. "For perspective: in a smaller, more conservative county, Potter, home to Amarillo, more than 16%--roughly one out of every six voters—had their ballot rejected" and "in Austin it was a little better at 8%".³³
- 12. Although some voters were able to remedy the issues with their rejected ballots, the rejection rates were unreasonable and still exceeded established state and national norms. Travis County started off with 16% slated for rejection but were able to substantiate half of them, lowering the rate

³⁰ McHam, Maleri."9% of Smith County mail-in ballots rejected in March primary". *Tyler Morning Telegraph*. (April 16, 2022). https://tylerpaper.com/news/local/9-of-smith-county-mail-in-ballots-rejected-in-march-primary/article 481acae0-bce7-11ec-83e3-dba82aeedcb5.html

³¹ Paul J. Weber and Acacia Coronado. "Texas Mail Ballot Rejections Soar Under New Restrictions." Associated Press. (March 16, 2022). https://apnews.com/45ba51fe9dd951a0f82015bd6bd9ff41

³² Associated Press. "Texas Flagged 27,000 Mail Ballots for Rejection in Primary." NBCNews.com. (March 10, 2022) https://www.nbcnews.com/politics/2022-election/texas-flagged-27000-mail-ballots-rejection-primary-rcna19507

³³ Washington, Jala. "How Will Texas Address Mail-in Voting Issues?". Capital Correspondent. (March 17, 2022) https://cw33.com/news/texas-politics/how-will-texas-address-mail-in-voting-issues/

to 8%³⁴--after hiring additional staff and making more than 1200 phone calls, the voters that they were able to reach and engage with the curing process were all found to be eligible voters. There were 948 voters they were either unable to reach or who did not correct the error or omission on their paperwork and their ballots were rejected.³⁵ It is important to note that in the similarly situated 2018 primary Travis County rejected only 156 ballots, or a rate of only 1.79%.³⁶ Williamson County election administrator Chris Davis said that he and his staff were able to aid many voters in rectifying their issues, but some just didn't have enough time and others "didn't have a chance, either because there wasn't enough time or because they had given up," he said. "We encountered some folks who had given up and said, 'Forget it, I have too many other things going on in my life.'"³⁷

Supplemental Conclusion

13. The first election conducted under SB1, the March 2022 primary, showed that SB1 led to substantial increases in the rate of rejection of mail ballot materials without any apparent connection or support for the underlying purpose for the law. It is purported that these requirements are necessary to secure the elections process, yet I am not aware of any news reporting, nor any indication from an election official of the new requirements identifying ballots cast by voters who were confirmed to be not eligible to vote. Restated, the rise in rejection rates for applications as well as the carrier envelopes are not reflective of any real or perceived rate of ineligible voters attempting to vote or attempting fraud. In fact, I have been unable to find any evidence of the new requirements identifying a ballot cast by a voter who was not eligible to vote. Nowhere in the public record has there been documentation that these new barriers made it "harder to cheat"—just harder for eligible voter to vote successfully.

I declare under penalty of perjury that the foregoing is true and correct.

Date: April 29, 2022.

Signed: Tammy Patrick

Tammy Patrick

Executed in: St. Mary's County, Maryland

³⁴ Brown, Andy. "Statement of Andy Brown, Travis County Judge, Travis County Texas". Page 4. United States House of Representatives Committee on House Administration Subcommittee on Elections Hearing. (March 17, 2022)

³⁵ Id.

³⁶ ld.

³⁷ Id.

Exhibit 7

Texas 2022 General Election Supplement to Report Voting Assistance & Vote by Mail La Union del Pueblo Entero et al. v. State of Texas et al. Tammy Patrick

- 1. On February 28, 2022, I submitted a report entitled "Voting Assistance & Vote By Mail" in connection with the case La Unión del Pueblo Entero et al. v. State of Texas et al., which I will refer to here as the "Original Report."
- 2. On April 29, 2022, I submitted a supplemental report extending the Original Report based on facts and data related to voting by mail from Texas's March 1, 2022, primary election, the first statewide election conducted under the provisions of SB1, which I will refer to as the "First Supplemental Report."
- 3. This report supplements and extends the Original Report and the First Supplemental Report based on facts and data related to voting by mail from Texas's November 8, 2022, general election.
- 4. This report also supplements Section One of the Original Report regarding my employment and election experience. As of December 1, 2022, I serve as the Chief Executive Officer of Programs for the National Association of Election Officials, commonly referred to as the Election Center. The Election Center was established as the first national training and certification organization of election professionals in 1992.¹

Introduction & Summary of Conclusions

5. Since implementation of SB1, rejection rates of both the applications for ballots by mail (ABBMs) as well as ballot carrier envelopes have continued to exceed the rejection rates historically seen in Texas and nationwide. This supplemental report documents that although rejection rates have diminished from the increase experienced in the initial elections of 2022, Texas reports that it is still rejecting mail ballots at a rate of 2.7%²—almost three times the national average (1%³)—and more than the state's

¹ Election Center - About Us. https://www.electioncenter.org/about-us.php.

Lopez, Ashley. "Despite mail voting changes, ballot rejection rates remail relatively low in 2022 midterms." NPR. (January 13, 2023). https://www.npr.org/2023/01/13/1148799521/mail-ballot-rejection-rates-state-tally
 United States Election Assistance Commission EAVs Survey data from 2020, Election 2020 at Page 36 (page 46 of PDF): https://www.eac.gov/sites/default/files/document_library/files/2020_EAVS_Report_Final_508c.pdf
 United States Election Assistance Commission EAVs Survey data from 2018, 2018 at Page 30 (page 39 of PDF): https://www.eac.gov/sites/default/files/eac_assets/1/6/2018_EAVS_Report.pdf
 United States Election Assistance Commission EAVs Survey data from 2016,2016 at Page 25 (Page 31 of PDF): https://www.eac.gov/sites/default/files/eac_assets/1/6/2016 EAVS Comprehensive Report.pdf

average prior to SB1 passage.⁴ What I have observed supports the conclusion that SB1 creates unnecessary barriers to eligible Texas voters to participate in the franchise.

- 6. Issues anticipated in the Original Report and in the First Supplemental Report with voters being able to comply with the new requirements under SB1 in applying for an absentee ballot and completing a ballot carrier envelope manifested in the general election, with rejection numbers exceeding both the national trends as well as Texas's historical trends.
- 7. Following the rise of rejection rates in the primary election, local election officials went to great lengths to reduce the rejection rates, often at a substantial cost in time and resources—they hired additional staff dedicated to answering voter calls and questions around the requirements,⁵ printed and mailed additional voter instructions,⁶ and experienced what will be an ongoing expense given that new Texas voters become eligible to vote by mail every day. Given the combined fact of an aging population resulting in Texas voters who will encounter these new requirements for the first time in every election cycle moving forward and the historic under-funding of election offices,⁷ this level of effort is untenable.
- 8. Midterm voters are traditionally high-efficacy voters,⁸ those with the propensity to have voting experience and understanding of policies and procedures necessary to successfully engage with the franchise as compared with presidential general election voters. Even within this voting cohort the impact of SB1 was substantial.

⁴ "In 2020, Texas had a 0.8% mail ballot rejection rate; in 2018 it was 1.7%." Lopez, Ashley. "Despite mail voting changes, ballot rejection rates remail relatively low in 2022 midterms." NPR. (January 13, 2023). https://www.npr.org/2023/01/13/1148799521/mail-ballot-rejection-rates-state-tally

⁵ Worthy, Ariel. "Fewer Harris County mail-in ballots are being rejected compared to March Primaries." *Houston Public Media*. (November 4, 2022).

https://www.houstonpublicmedia.org/articles/news/politics/elections/2022/11/04/436774/fewer-harris-county-mail-in-ballots-are-being-rejected-compared-to-march-primaries/

⁶ Taylor Goldenstein. "10,000 mail ballots rejected in large Texas counties as new ID requirement is phased in." Houston Chronicle. (November 11, 2022). https://www.houstonchronicle.com/politics/election/2022/article/New-Texas-law-leads-to-10-000-rejected-mail-17577757.php and Cheng, Yilun. "Harris County leaders remind voters of state ID requirements for casting mail ballots." Houston Chronicle. (October 3, 2022)

https://www.houstonchronicle.com/news/houston-texas/article/Harris-County-leaders-remind-voters-of-state-ID-17484190.php

⁷ Stewart, Charles III. "The Cost of Conducting Elections" (May 2022)https://www.commonsenseamerican.org/wp-content/uploads/2022/05/TheCostofConductingElections-2022.pdf.

⁸ Sometimes referred to as "core" voters: "One of the most commonly understood patterns in electoral turnout is the fact that turnout in presidential elections tends to be much higher than for midterm elections. Traditional analyses of these differential patterns in turnout have focused on the notion of "surge and decline" and "core and peripheral" voters (Campbell 1960)." The paper looks at the impact of knowledge on a voter's participation in the franchise and finds that "core voting and persistent non-voting appear to be strongly driven by both age and knowledge." Stephen Ansolabehere and Brian Schaffner. "Beyond the Core and Periphery: A New Look at Voter Participation Across Elections." (November 30, 2015).

https://cces.gov.harvard.edu/files/cces/files/ansolabehere_schaffner_core_periphery.pdf

Analysis

Overall Rejection Rates

9. Texas reported that the State rejected mail ballots at a rate of 2.7%—almost three times the national average (1%), and more than the state's average prior to SB1 passage (1.7% in the comparable midterm election of 2018). Because the national average rejection rate of vote by mail ballots hovers around 1%, when a state or jurisdiction's rate exceeds that it can spur additional review and analysis. Even rejection rates below the national average can sometimes lead to performance audits of ballot rejections. The Washington State Legislature mandated a performance audit of ballot rejection rates even though they historically fall below the 1% rejection threshold. Description of the performance audit of ballot rejection rates even though they historically fall below the 1% rejection threshold.

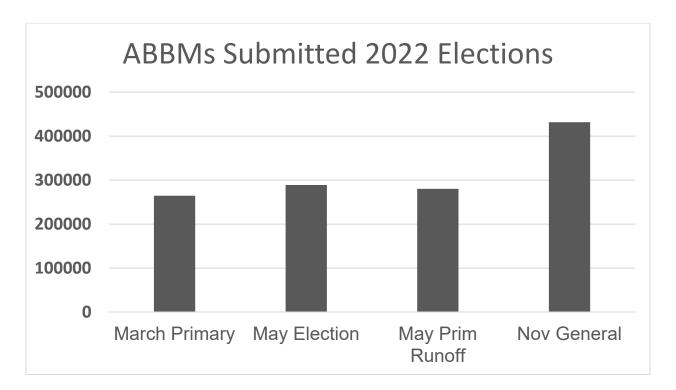
Curing and Use of the Ballot Tracking Portal

10. In the State Defendants' Supplemental Interrogatory Responses, it is stated that hundreds of thousands of Texas voters submitted ABBMs since the new requirements. The numbers of submittals in each of the statewide elections in 2022 is as follows:¹¹

⁹ United States Election Assistance Commission EAVs Survey data from 2020, Election 2020 at Page 36 (page 46 of PDF): https://www.eac.gov/sites/default/files/document_library/files/2020_EAVS_Report_Final_508c.pdf United States Election Assistance Commission EAVs Survey data from 2018, 2018 at Page 30 (page 39 of PDF): https://www.eac.gov/sites/default/files/eac_assets/1/6/2018_EAVS_Report.pdf United States Election Assistance Commission EAVs Survey data from 2016,2016 at Page 25 (Page 31 of PDF): https://www.eac.gov/sites/default/files/eac_assets/1/6/2016_EAVS_Comprehensive_Report.pdf

¹⁰ McCarthy, Pat, Office of the Washington State Auditor. "Performance Audit Report Highlights: Evaluating Washington's Ballot Rejection Rates." (February, 2022). https://sao.wa.gov/wp-content/uploads/Tabs/PerformanceAudit/PA_Evaluating_WA_Rejected_Ballots_2-pager.pdf

¹¹ Defendants' Supplemental Interrogatory Responses dated January 19, 2023 at Page 12.



11.Texas offers a "Ballot by Mail Tracker" (referred to after this as the "Tracker") on the Texas Secretary of State's "My Voter Portal" at votetexas.gov¹² in an attempt allow voters the opportunity to remedy issues with their ABBM. Some voters whose ABBMs were at first rejected were successful in either having their ABBM accepted, or they had it cancelled so that they could then go and vote in person.¹³ Unfortunately, the data I have seen does not distinguish how many voters fall into each of the two categories of voters—there isn't a distinction made, so we cannot know how many voters were able to successfully fulfill their requests and vote by mail as they originally intended or how many had to cancel their ABBM and vote in their secondary choice for mode of voting, in person. This lack of clarity limits the ability to determine the portal's success rate of allowing originally rejected voters to obtain a mail ballot.

- 12. What we do know from the data is that there were hundreds of voters who used the Tracker during the 2022 election cycle and were unsuccessful in navigating the new requirements. 267 voters, more than 1 in 4 voters (28% of the 946 voters who used the Tracker in all 2022 elections through the November general), were unsuccessful in remedying the issues with their ABBM.¹⁴
- 13. The overall use of the tracker for rejected ABBMs was relatively low. Even if ABBM rejection in the November General Election only matched the 2.7% reported ballot rejection rate¹⁵ then fewer than one

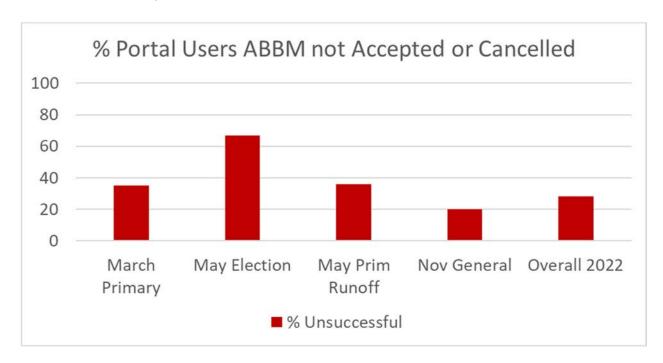
¹² https://www.votetexas.gov/voting-by-mail/track-my-ballot.html

¹³ Ibid. Page 11.

¹⁴ Ibid Page 12.

¹⁵ This is a conservative estimate because voters must successfully navigate SB 1 requirements for an ABBM first before they receive a ballot.

in twenty voters who had an ABBM rejected used the tracker. Fewer than one in twenty-five voters used the tracker successfully to cure or cancel an ABBM.¹⁶



14. Across the elections conducted in 2022, almost a thousand voters—963—who used¹⁷ the Tracker in an attempt to cure their ballot deficiencies were unable to do so.¹⁸ Beyond that, it was widely reported that more than 10,000 ballots were rejected in the midterm alone.¹⁹ To date, I have not seen any analysis as to why those voters did not attempt to cure their ballots through the use of the Tracker or other methods (for instance, an analysis of the number of page hits on the tracker, number of login attempts, number of successful logins but then incomplete or abandoned efforts, etc.), or why the number of voters who attempted to use the tracker (6,247²⁰) was considerably less than the overall number of rejected ballots.

Election Officials' Education Efforts

15. Elevated rejection rates lingered because voters in Texas had continued challenges with satisfying the requirements of SB1 in the submission of their absentee ballots despite substantial reported efforts

¹⁶ Ibid Page 12.

¹⁷ The term "used" is reflective of that utilized in the "State Defendants' Supplemental Objections and Responses to the United States' Second Set of Interrogatories." It is unclear if this means every log-in or further attempt to use after a log-in attempt.

¹⁸ Ibid pages 13-14.

¹⁹ Taylor Goldenstein. "10,000 mail ballots rejected in large Texas counties as new ID requirement is phased in." *Houston Chronicle*. (November 11, 2022). https://www.houstonchronicle.com/politics/election/2022/article/New-Texas-law-leads-to-10-000-rejected-mail-17577757.php

²⁰ "State Defendants' Supplemental Objections and Responses to the United States' Second Set of Interrogatories". Pages 13-14.

by county election officials. Measures taken by these election officials resulted in the somewhat decreased rejection rates. Some hired additional staff. According to Leah Shah with the Harris County Election Administrator's Office, they increased their "mail ballot team by 20 people dedicated to only reaching out to voters who are voting by mail, that are needing assistance, that have questions about the process," Shah said. "And of course, reaching back out to the voters if they require corrections." 21 Some counties, such as Bexar County, included special inserts to explain the new process,²² as did Travis County.²³ Dallas County invested money in publicity campaigns that they attribute as a key factor in the reduction in rejections: "The Dallas County Commissioners Court spent north of \$42 million in the last five years to ramp up staffing, equipment and advertising for elections. Daniel and Noble said this was money well spent, because the rejection rate of mail-in ballots was lower—something they attribute to public campaigns on the issue."24 The price tag that comes with implementation of new laws and educating the electorate can be large, 25 yet election officials are rarely provided sufficient funding to adequately complete the task.²⁶ It was reported that the Legislature actually reduced the voter education budget from \$4 million previously to \$3.5 million for the current two-year budget cycle.²⁷ Additional funding is necessary to cover the additional activities required by SB1 to properly serve Texas voters.

²¹Worthy, Ariel. "Fewer Harris County mail-in ballots are being rejected compared to March Primaries." *Houston Public Media*. (November 4, 2022).

https://www.houstonpublicmedia.org/articles/news/politics/elections/2022/11/04/436774/fewer-harris-county-mail-in-ballots-are-being-rejected-compared-to-march-primaries/

²² Taylor Goldenstein. "10,000 mail ballots rejected in large Texas counties as new ID requirement is phased in." *Houston Chronicle*. (November 11, 2022). https://www.houstonchronicle.com/politics/election/2022/article/New-Texas-law-leads-to-10-000-rejected-mail-17577757.php

²³ Cheng, Yilun. "Harris County leaders remind voters of state ID requirements for casting mail ballots." *Houston Chronicle*. (October 3, 2022) https://www.houstonchronicle.com/news/houston-texas/article/Harris-County-leaders-remind-voters-of-state-ID-17484190.php

²⁴ Peterson, Josephine. "Dallas elections chief says it went well, amid state law changes and public anxiety." *The Dallas Morning News*. (November 21, 2022) https://www.dallasnews.com/news/politics/2022/11/20/dallas-elections-chief-says-it-went-well-amid-state-law-changes-public-anxiety/

²⁵ One example from New Jersey: "According to the counties' summation, both laws caused the county clerks to spend an additional \$2.8 million in printing, postage, labor and other costs on the 2018 general and 2019 primary and general elections." And "Neither of the new vote-by-mail laws included a funding mechanism to address the costs incurred by the county boards of elections," the NJAC continued, giving as one example the close to \$63,000 in additional labor, supplies and contracted costs." O'Dea, Colleen. "Changes in Vote-by-Mail Ruled Null and Void, Unfunded Mandates." *NJ Spotlight News*. (November 19, 2019).

²⁶ Stewart, Charles III. "The Cost of Conducting Elections" (May 2022)

https://www.commonsenseamerican.org/wp-content/uploads/2022/05/TheCostofConductingElections-2022.pdf Zachary Mohr, PhD; Martha Kropf, PhD; JoEllen Pope, MPA CPA; Mary Jo Shephard, PhD; and Madison Esterle, MPA. "Election Administration Spending in Local Election Jurisdictions: Results from a Nationwide Data Collection Project". Paper for the 2018 Election Sciences, Reform, and Administration (ESRA) conference University of Wisconsin-Madison on July 26-27, 2018. https://esra.wisc.edu/wp-content/uploads/sites/1556/2020/11/mohr.pdf ²⁷ Mizan, Nusaiba. "Texas has less to spend on voter outreach as election approaches under new rules." *Austin American-Statesman*. (September 21, 2022)

https://www.statesman.com/story/news/politics/state/2022/09/21/texas-election-2022-voter-education-campaign-has-less-money-spend/69506679007/

Supplemental Conclusion on the General Election

- 16. Although the rates of rejection have declined, due to substantial efforts by county election officials—there are still thousands of eligible Texas voters who are unable to successfully submit ABBMs and/or have their voted ballots accepted for counting.
- 17. Texas rejection rates are still some of the highest in the nation, exceeding the traditional benchmark of 1% and their pre-SB1 midterm rate of 1.7%.²⁸
- 18. These findings and concerns are echoed by election officials in other states who are seeing the introduction of bills in their states similar to SB1.²⁹

I declare under penalty of perjury that the foregoing is true and correct.

Date: February 10, 2023

Signed: Tammy Patrick

Tammy Patrick

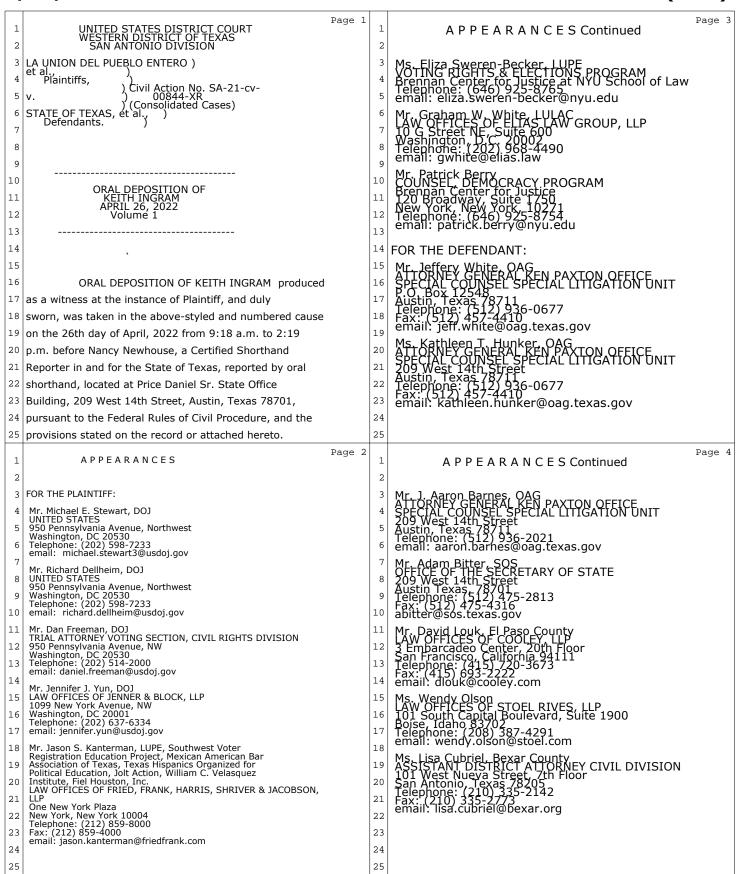
Executed in: St. Mary's County, Maryland

²⁸ United States Election Assistance Commission EAVs Survey data from 2018, 2018 at Page 30 (page 39 of PDF): https://www.eac.gov/sites/default/files/eac_assets/1/6/2018_EAVS_Report.pdf

²⁹ Lopez, Ashley. "Local election officials in Florida call for scrapping new ID rules for mail voting." *NPR*. (January 27, 2023). Florida election officials want to scrap mail ballot ID requirements: NPR

Exhibit 8

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6	email: tony.nelson@traviscountytx.gov			9	Notice of Rejected Application for Ballot By Mail Bate Nos. STATE031645 and STATE031646	
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13	Austin, Texas 78760 Telephone: (832) 767-3650 email: zachary@texascivilrightsproject.com		13		Election Advisory No.2022-08 Letter to Election Officials from Keith Ingram dated January 28, 2022 regarding New Law: Senate Bill - Opportunity to Correct Defects on Application for Ballot by Mail and Carrier Envelope Totals Bate Nos. STATE019849 through STATE019876 (28 pgs)	
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Page 15 pending question, to answer any pending question before A. I did not. 2 you take a break, all right? Q. Okay. Did you meet with attorneys from the 3 Texas Attorney General's Office in the course of A. That's fine. Q. Thank you. So next, just some background preparing --5 question. 5 A. I did. 6 You are currently employed by the Texas 6 Q. -- without revealing the content of any Secretary of State? conversations? 8 A. Iam. A. Sure. 9 Q. What's your cur -- or how long have you been 9 Q. I'm going to show you what we'll mark as 10 employed there? 10 Exhibit 1. 11 11 A. Ten years and a few months. (Plaintiff's Exhibit No. 1 was marked for 12 Q. And what's your current job title? 12 identification.) 13 Q. (BY MR. STEWART) Are you familiar with this 13 A. I'm the director of the Elections Division. 14 Q. What's your -- what are your responsibilities 14 document? 15 15 in that role? A. Yes. A. Well, to manage the division. That helps the 16 16 Q. And do you recognize this as the United 17 secretary fulfill his responsibility as chief election 17 States' notice for this 30(b)(6) deposition today? officer for the State of Texas. 18 A. Yes. 19 Q. And how long have you held that role? 19 Q. Turning quickly to Page A-2 document -- of 20 this document, are these topics you prepared to testify 20 A. Ten years and four months. 21 Q. So your entire time with the Secretary of 21 on today? A. It is. 22 State? 22 23 23 A. That's right. Q. Is there any topic on this list, 1 through I 24 believe it's 7, and all subparts, that you are not 24 Q. Thank you. And then you are here on behalf of 25 the Texas Secretary of State, how did you prepare to prepared to testify on today? Page 14 Page 16 testify in this deposition? A. Well, there's eight and I --2 MR. JEFFREY WHITE: I'll just instruct 2 Q. Eight. 3 3 the witness if -- not to get into any communications you A. -- I'm ready on all eight. 4 4 may have had with counsel, but otherwise, you can answer Q. Great, thank you. All right. 5 that question. All right. I'm going to turn, then, to THE WITNESS: Sure. 6 6 the first of these topics. A. So I reviewed the 30(b)(6) Depo Notice for Are you familiar with the Texas Election 8 both the Department of Justice and the private 8 Administration Management database? Plaintiffs, and I had a small visit with my voter A. I am. 10 10 registration manager. Q. If I refer to that as the TEAM database, can 11 Q. (BY MR. STEWART) And who is that? 11 we -- we're agreed that it refers to that database? 12 A. Kristi Hart. 12 A. Sure, but TEAM is more than a database. 13 I also reviewed some documents. I 13 Q. What else is TEAM? 14 14 reviewed the documents that are related to the fields A. It's an election management system. 15 that are in the TEAM database, and then there was a 15 Q. If I use the shorthand TEAM, will you 16 document from DPS that showed all of the interactions 16 understand I'm referring to the database portion of it 17 they had with us, the data they provided to us. 17 when the question is related to the database? 18 Q. Thank you. Has that document been produced, 18 A. Well, yeah, we'll have to see in context 19 19 do you know? whether I can under -- agree to that or not, but ... 20 20 A. I think so, yes. Q. Okay. Yeah, that's fine. If there's any 21 Q. Approximately how much time did you spend 21 portion where it's unclear, you can just ask for 22 clarification. 22 preparing? 23 23 A. Couple, three hours. 24 2.4 Q. Did you speak with Secretary Scott in the Q. So I think you started on this, but generally 25 course of preparing? 25 what is the TEAM database?

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Page 17 Page 19 Q. (BY MR. STEWART) Cleaning that up a second, A. So TEAM is, first of all, it is the 2 Java-compliant electronic database of voters in Texas, 2 so what's the difference between counties that use TEAM 3 so that's -- that's its main function, but it also has directly and counties that use an offline system? 4 4 within it candidate management portions, candidate MR. JEFFREY WHITE: Objection, form. 5 filing, and also has an election night reporting 5 A. So the online counties are the counties that use TEAM for their election management, they use it for 6 function, as well as the ability to canvas the election 6 7 returns within the TEAM system and advance the 7 the voter registration, and, whenever they get a voter candidates through from filing, to primary, to primary registration application, they will enter it directly runoff, to general election. 9 into TEAM and it's in TEAM in realtime. 10 10 Q. And are you familiar with the fields that were Offline counties, they will have their 11 11 included in the TEAM database production in this case? own voter registration system, and, when they enter a 12 12 voter registration application, then that will batch Q. How did you become familiar with those fields? 13 process with our system overnight to capture that new 13 14 A. I reviewed the documentation provided by our 14 registration. 15 15 Kristi Hart. Q. (BY MR. STEWART) And when you say batch 16 process, what does that mean? 16 Q. Are there any fields used to administer the 17 mail-in ballot provisions of SB 1 that weren't included 17 A. It means that we get information from the in the TEAM database production in this case? 18 counties, and we give information to the counties about 19 MR. JEFFREY WHITE: Objection, form. 19 anything that we've got with regard to their voters, so 20 20 that processing occurs overnight. It's an automatic A. I'm not sure I understand the question. 21 Q. (BY MR. STEWART) Are there any fields that 21 process. 22 track the acceptance or rejection of either absentee 22 Q. So how many offline counties are there? 23 23 ballot by mail applications or carrier envelopes that A. I'm not sure at the exact time. I believe 24 were not included in the TEAM database production in 24 there's 38, currently. 25 this case? 25 Q. And do they tend to be larger or smaller, or Page 18 Page 20 1 A. No. 1 have any specific characteristics? 2 MR. JEFFREY WHITE: Objection, form. 2 MR. JEFFREY WHITE: Objection, form. 3 3 A. You -- you should have all of those. A. Generally, it's the larger counties in Texas 4 Q. (BY MR. STEWART) Okay. Do a field -- does a by population. 5 field or fields exist in the TEAM database to track the Q. (BY MR. STEWART) Okay. And then can the TEAM database be used to track acceptance or rejection of 6 acceptance or rejection of applications for absentee 7 ballot carrier envelopes by mail? ballots by mail? A. Yes. 8 A. There are -- I mean, there's functions in the 8 9 TEAM database to track that activity. Q. I'm going to show you what's tagged 10 10 "State087299", this will be Exhibit 2. Q. And what are those functions? 11 11 A. The -- you just enter application received, (Plaintiff's Exhibit No. 2 was marked for 12 12 identification.) and the TEAM system will record application received. 13 13 Q. Does it record whether an application is MR. STEWART: Sorry, Jeff. 14 14 accepted or rejected? Q. (BY MR. STEWART) Are you familiar with this 15 A. It does. 15 email? 16 16 A. I am. Q. Does it record the reason for that acceptance 17 17 Q. And what does this email show? or rejection? 18 18 A. It shows the total number of ballots cast in 19 19 Q. Who enters that information? the Republican and Democratic primary on March 1st, as 20 well as the total number of mail ballots and mail 20 A. County election officials. 21 Q. And that is uploaded to the central TEAM 21 ballots rejected in each of those primaries. 22 22 Q. Is this based on information in TEAM? database from the offline counties? 23 23 MR. JEFFREY WHITE: Objection, form. A. It is. 2.4 24 Q. Is this information accurate, to the best of A. Well, some of them, and some of them use TEAM 25 your knowledge? 25 directly for the management of mail ballots.

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Page 39 March 2020 primary, the opportunity to cure mail MR. STEWART: It was produced with 2 ballots. So now then we've got interim statuses as well 2 State057754. I actually don't believe it was attached as a final status. So the information is in the TEAM to an email but, you know, I'm happy to check on that. 4 4 system, but some of these are transient, they are not A. Now, ballot status A, I don't know what that permanent statuses. 5 means 5 6 Q. (BY MR. STEWART) Okay. And then you wouldn't 6 Q. I understand. Just --7 A. Permanent statuses would be over in the Voter 7 know what -- or do you know what AV means? **History Code.** 8 A. AB I do know, yes. 9 Q. Sorry for talking over you. Understood. 9 Q. A -- sorry, A-V, as in Victor. 10 10 Just to be clear, though, this is A. AV means absentee ballot accepted. definitionally information that's maintained in TEAM? 11 11 Q. Okay. Thank you. 12 A. No. 12 All right. So you've talked a little bit 13 13 Q. It's not in the TEAM database? about the imports from -- from DPS, what are the 14 A. I didn't say that. I just said what I meant. 14 circumstances where as the Secretary of State receives 15 15 Some of these things are in the TEAM database, but information from the Department of Public Safety, 16 16 they're transitory in nature. So when you say related to voter registrations? |17| maintained, they are not maintained after the election, 17 A. Well, we get a daily change file, so anything 18 they are there in the TEAM system when they need to be that happened at DPS that day comes to us in a -- in a 19 there for the voter and for the early voting clerk, but 19 batch process, and we farm that data out to the counties 20 20 they don't stay there. overnight, so that's the -- the main one that we get on 21 21 Q. I see. So information can be changed to a daily basis. 22 22 reflect the most current status? We also, on a daily basis, get something 23 23 A. Exactly. that's related to the non-citizen process, so it's 24 Q. Understood, thank you. And then --24 non-citizens who previously have been at DPS as a no on 25 25 citizenship --MR. STEWART: This was 3, right? Page 38 Page 40 1 COURT REPORTER: 4. O. Uh-huh. 2 MR. STEWART: 4? Okay. A. -- and they change to a yes, so we get that 3 information in a separate file on a daily basis. 3 Q. (BY MR. STEWART) Returning to 3 real quickly, 4 4 there is a -- under the column headings on the second On a weekly basis, we get information page, there is a Ballot_Status column heading? from DPS about folks who went to the Department of 6 A. Uh-huh. Public Safety last week and said I'm not a citizen, but Q. Do you know -- if the ballot status shows an did prove lawful presence with a document, so we get 8 entry that just says the letter "A", what does that 8 those every week. 9 mean? 9 Then, of course, we get the -- the felony 10 10 MR. JEFFREY WHITE: So Michael, I'll just file from DPS about every week, sometimes 10 days, but 11 -- part of our agreement for this was that we were going we get a list of persons who have been convicted of a 12 to do some of this data at, like, the 30,000-foot level, felony. And then we get information from DPS about --13 so to the extent we're getting down to particular codes we get a jury file in -- in the summer, and we get a 14 and particular fields, that seems to be beyond what the monthly file that we use with ERIC. I'm trying to think 15 agreement was on the scope of the level we're getting 15 what else. We get a monthly file for ERIC, get a yearly 16 into on these database fields, so I just want to make 16 file for the jury that we use for the HB 2512 process. 17 17 that clear for the record. O. Let me show you what we'll mark as 5 and 6. 18 MR. STEWART: I mean, I do. And for the 18 MR. STEWART: This is an email, an 19 19 record, one of our notice topics was the definition and attachment. We'll mark them separately. -- and information within the fields, and so we are just 20 20 MR. JEFFREY WHITE: So I just want to 21 trying to get at, you know, what this actually means 21 note that this one is designated ultra-sensitive. 22 22 when we see information in the database. MR. STEWART: Oh, sorry. You know, why 23 don't then we save it. We'll do it before a break so 23 MR. JEFFREY WHITE: And then as far as 24 that we can --24 Exhibit 3, I don't see a Bates number on this. Do you 25 have information on where this one came from? 25 MR. JEFFREY WHITE: So if we've got to

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Page 45 databases? 1 the first name, middle name, last name, date of birth A. Yes. We match the databases together to 2 and residence address. Q. And so in December 20, 2024 (sic), information compare voters to drivers. Q. And -- and as -- was an -- excuse me, without a driver's license and the SSN was brought in? 5 MR. JEFFREY WHITE: Objection, form. 5 withdrawn. 6 MR. STEWART: I'll withdraw that. 6 In the December 20, 2021 import, did a 7 full-nine SSN need to match in order to import a Q. (BY MR. STEWART) In the December 20, 2021 driver's license number? import from DPS, information that matched on neither the 9 A. Not necessarily. driver's license, nor the social security number was 10 10 brought in to the TEAM database? What are the circumstances where it did not 11 11 need to match? A. I believe so. It wasn't a huge number, but it 12 A. Well, if we -- if we got the driver's license 12 was some. 13 number and we had a last four, then we could get the 13 Q. Was that same process used for prior jury 14 full-nine. Do you understand? We went both ways. 14 wheel imports? 15 15 A. No. Q. What do you mean by both ways? 16 A. We went from DL to social, as well as social 16 Q. No. 17 to DL. So if you've got a first name, a last name, a 17 What was the criteria in prior jury wheel 18 imports? 18 date of birth and the last four of social that's the 19 same as a driver, then you can import that social 19 A. The -- the -- in prior jury wheel imports, 20 security number, or you can import the driver's license 20 what we were look -- looking for is full-nines of 21 number. 21 social, so what we were doing was matching DL and last 22 Q. And that, you said, sorry, that's with the 22 four to get the full-nine. 23 23 last -- when the last four of the social match? Q. So in prior jury wheel imports, both driver's 24 A. Sure. license and last four had to match in order to bring in 25 25 the full-nine? Q. All right. So if the last four of the social Page 46 Page 48 1 matched, you could import the full-nine social and the A. No, sir. 2 driver's license? Q. Okay. So what did have to match to bring in 3 the full-nine? 3 A. Sure. A. Name, last name, first name, last name, former Q. If a driver --A. If you've got a name and date of birth match last name, date of birth, DL would be able to get you 6 the full nine. Name, last name, former last name, date 6 as well. Q. Okay. And with the name and date -- with a of birth, last four would be able to get you the 8 name and date of birth match, if the full-nine social full-nine, and if you had the DL, then you could get the 9 full-nine. 9 matches, or the last four matches, you can bring in a 10 driver's license? 10 Q. If you had name, last name, former last name, 11 date of birth and the SSN -- or excuse me, the social A. Sure. 12 Q. And with a name and date of birth match, if 12 security number, could you bring in a driver's license? 13 the driver's license matches, you can bring in the 13 A. We didn't do that before this time. 14 14 full-nine social? Q. I see. You didn't import driver's licenses 15 A. Sure. 15 before December 20th? 16 Q. Were there any circumstances where neither the 16 A. That's right, because DL is not as important -- anything in the social field, nor the driver's 17 in our matching criteria as -- as full-nine of social 18 license matched and you brought in information? 18 is. 19 A. Well, there, that's where we have to do --19 Q. And why is that? 20 20 that's where we have to do something, because we had a A. Because we don't use it for matching anything 21 certain number of voters in the TEAM system that didn't 21 except for the 2512 process. The -- the -- the matching 22 have either number. Right? 22 that we do on a daily basis for felons, or dead people, 23 or mentally-incompetent or whatever, is name, last name 23 Q. Uh-huh. 24 and then social, and the more full-nines we've got, the 2.4 A. So if you've got -- you've got to compare 25 those to a driver, then we look for the names, right, 25 more strong matches we can make. Because a strong match

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Page 51 1 under our TAC rule is first name, last name, former last 1 vou familiar with this section? 2 name, date of birth and full-nine. A. Yes. Q. Understood. And so just to clarify, is the 25 Q. Are these the -- are these the provisions -- 2512 process the only process in which you use 4 amended by SB 1 with respect to identification number, 5 driver's license as a matching criteria? 5 social security number or a statement that an applicant 6 A. To get socials, yes, I believe so. I -- I can has neither information on an application for a ballot 7 check with my voter registration manager, but I don't 7 by mail? 8 think we use it for anything else. I know that ERIC 8 MR. JEFFREY WHITE: Objection, form. 9 uses it. I mean, that's the reason why we give the 9 A. This section was amended by SB 1, yes. 10 driver's license file to ERIC, but I don't know how ERIC 10 Q. (BY MR. STEWART) Has the Secretary of State 11 uses it. They've got their own --11 published any interpretive guidance for Section 84.002 12 Q. And so --12 since S -- since the SB 1 amendments? A. -- black box. 13 13 A. Any interpretive guidance? 14 Q. -- but there you mean the driver's license 14 Q. Yes. Any information that can be used to 15 number? 15 interpret this statutory provision? A. What? 16 16 A. Yes. 17 Q. You said you know ERIC uses it, and by it you 17 Q. What information has the Secretary of State 18 mean the driver's license number? published? 19 A. That's right. 19 A. Well, we did an advisory, I did a legislative 20 20 Q. All right. So with respect to that export summary, we changed the form. 21 from DPS to TEAM that occurred on or around December 20, 21 Q. And by the form, what -- which form do you 22 2021, how was that information then communicated to what 22 mean? we described previously as offline counties? 23 23 A. The application for ballot by mail. 24 A. It was -- it was communicated through the CDW. 24 Q. Okay. All right. Looking at Section 84.002 25 Q. And what, I'm sorry, what is the CDW? 25 1-a(B) it says, "if the applicant has not been issued a Page 52 Page 50 1 number described by Paragraph (A), the last four digits 1 A. The County Data Warehouse. 2 Q. Were there any issues with that communication? 2 of the applicant's social security number", did I read 3 A. I don't believe so, no. We also communicated 3 that correctly? 4 4 it, I did a webinar and we did the mass email, I A. That's right. believe, maybe an advisory. Q. How do you interpret the language "if the MR. STEWART: How long have we been on 6 applicant has not been issued a number described by 7 Paragraph (A)"? the record? 8 COURT REPORTER: Forty-one minutes. A. Well, the way it looks is that they have 9 MR. STEWART: Okay. Thank you. created a hierarchy with driver's license first, last 10 Q. (BY MR. STEWART) All right. Other than the four second, but that's not the way in practice that 11 ones you've described here right now, are there any 11 this works. Either number will work, and we suggest to 12 other exchanges we haven't discussed that bring the voters that they use both numbers so that they 13 information into voter registration records from DPS? 13 increase their odds of success. 14 14 Q. And when you say that's not the way in A. I can't think of any. 15 Q. Let me -- all right. 15 practice that it works, is that an interpretation that 16 MR. STEWART: I believe we're on, it's 5? 16 the Secretary of State's Office has published? 17 17 COURT REPORTER: 5, yes. A. That's right. 18 Q. (BY MR. STEWART) All right. I'm going to 18 O. And --19 19 show you what's been marked as Exhibit 5 which is --A. That's the way we've taught it in several 20 I'll represent to you this is Chapter 84 of the Texas 20 Webexes, that's the way it is in the advisory, that's 21 Election Code. 21 the way it is in mass emails that we've sent out. 22 22 (Plaintiff's Exhibit No. 5 was marked for Q. Uh-huh. 23 23 identification.) A. That's the way it is in questions we've 24 Q. (BY MR. STEWART) On Page 2 I want to turn 24 answered, that's the way it is in town halls when we've 25 talked about it. 25 your attention to what begins Section 8 -- 84.002, are

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Q. And how did you arrive at that interpretation?	1	Q. Thank you, but my question is, do they need to
A. It's the most voter-friendly.	2	consider Section 84.002 when doing so?
Q. Was there any point where you interpreted it	3	A. They need to make sure that a number supplied
4 to establish a hierarchy?	4	by the voter matches a number in the voter's record.
5 A. No.	5	MR. STEWART: I'll object as
Q. So from the initial implementation of SB 1,	6	nonresponsive.
you interpreted it to establish a hierarchy?	7	A. That
8 A. From before SB 1 was signed into law.	8	Q. (BY MR. STEWART) Do they
Q. And so how do you interpret the phrase "not	9	A. I answered your question, you just don't like
been issued"?	10	the answer.
11 A. Same way you do.	11	MR. STEWART: I'll object as
Q. Which is how do I do it?	12	nonresponsive to that as well.
A. By what it means. It means if you don't have	13	Q. (BY MR. STEWART) Do they need to consider
a DL, use your social. That clearly cannot be the way	14	Section 84.002, yes or no, when doing so?
the way this law works, and it's not.	15	MR. JEFFREY WHITE: Objection, form.
Q. And when you say it's clearly not how this law	16	A. They need to follow the instructions of the
works, what is that based on?	17	legislature, and make sure that the number provided by
A. Our interpretation.	18	the voter matches a number in the voter's record.
Q. I'm sorry?	19	MR. STEWART: All right. I'll object as
A. Because the way that it's supposed to work, if	20	nonresponsive.
you look at if you look at Chapter 86, what you're	21	Q. (BY MR. STEWART) Do you interpret Section
$\left 22 \right $ supposed to do when you look at these numbers is see if	22	86.002 as similar language in the same way, with respect
there's if it matches a number in the voter's record.	23	to carrier envelopes?
$oxed{24}$ There's no hierarchy for the Signature Verification	24	MR. JEFFREY WHITE: Objection, form.
25 Committee or the Ballot Board, there's no hierarchy.	25	A. Exactly. And that's why we have told the
They don't look for a driver's license first. The	1	voter you can use either number or both, and we
the only places that there's there is a hierarchy is		recommend using both.
in this. But the people who actually review the number,	3	
to make sure it matches a voter, are not told to use a	4	mentioned some implementation documents that went to
5 hierarchy.	5	·
Q. Sorry, which provision of the law are you	6	MR. STEWART: I think we're on, I believe
7 describing there?	7	
8 A. The ones about the Signature Verification	8	COURT REPORTER: 6.
9 Committee and the Early Voting Ballot Board, and how	9	MR. STEWART: 6, thank you.
they are supposed to work with this information.	10	That's for you.
Q. So you're saying this provision of the law	11	Q. (BY MR. STEWART) So I'll show you what we've
does not apply to the Signature Verification Committee	12	marked as Exhibit 6.
or Early Voting Ballot Board?	13	(Plaintiff's Exhibit No. 6 was marked for
14 A. I'm saying	14	identification.)
MR. JEFFREY WHITE: Object	15	Q. (BY MR. STEWART) Is this the application for
A they're told to look to see if the number	16	a ballot by mail that the Secretary of State's Office
matches a number in the voter's record with	17	distributed to counties?
Q. (BY MR. STEWART) Told by whom?	18	A. It is the revised application for a ballot by
19 A. The legislature.	19	mail that we have promulgated, yes.
Q. And you're saying the Signature Verification	20	Q. And sorry, you said this form was prepared by
21 Committee or Early Voting Ballot Board does not need to	21	the Secretary of State's Office?
22 consider Section 84.002 when doing so?	22	A. It was.
A. They need to make sure that there's a number	23	, , , , , , , , , , , , , , , , , , , ,
$\left {}^{24} \right $ on the application that matches a number in the voter's	24	A. So you don't need to have a particular form in order to apply for a ballot by mail, you can just have a

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Page 59 1 handwritten document, but it needs to contain the 1 a Texas personal ID number or --2 elements of 84.002. We suggest if a county is going to 2 A. The --3 modify this form, number one, that it doesn't say 3 Q. -- a Texas election identification --4 promulgated by the Secretary of State on it, and number 4 MR. JEFFREY WHITE: Objection --5 two, that they run it by us first, just to make sure Q. (BY MR. STEWART) -- certificate? 6 they're not missing anything important. We suggest the 6 MR. JEFFREY WHITE: -- form. 7 same thing for candidates and campaigns. A. The form tracks the law, yes. That's what Q. Got it. Are they required to run it by you, it's supposed to do. or is that a suggestion? 9 Q. (BY MR. STEWART) So the form is faithful to 9 10 10 MR. JEFFREY WHITE: Objection, form. the language of the law? 11 11 A. For -- for this particular form it's a MR. JEFFREY WHITE: Objection, form. 12 suggestion, a very strong suggestion, because what you 12 A. The form tracks the law, which is what a good 13 end up with is something like what Harris County did on form does. 14 the carrier envelope or on the application, where they 14 (BY MR. STEWART) I'll show you Exhibit 7. 15 15 left off important information and confused voters in (Plaintiff's Exhibit No. 7 was marked for 16 16 the process. identification.) 17 17 Q. (BY MR. STEWART) Sorry, is it -- and then Q. (BY MR. STEWART) Do you recognize this 18 with the carrier envelope, is that required to be run by document? 19 you if there are any alterations by counties? 19 A. Yes. 20 20 MR. JEFFREY WHITE: Objection, form. O. What is this document? 21 A. Yes, absolutely. That one's got to be run by 21 A. It's a PDF, I believe, of a revised carrier 22 us. 22 envelope. 23 23 Q. (BY MR. STEWART) Yeah. And who at the Q. Is this accurate with respect to the contents of the revised carrier envelope? 24 Secretary of State is authorized to grant that approval 24 25 for counties to change the form -- the carrier envelope MR. JEFFREY WHITE: Objection, form. Page 58 Page 60 A. Without looking at every word, I believe so, 1 form? 2 MR. JEFFREY WHITE: Objection, form. 2 ves, sir. 3 3 A. Our lawyers. Q. (BY MR. STEWART) And you said counties need Q. (BY MR. STEWART) And so then I'll direct your approval to modify this form, correct? 5 attention to the box, top half of the page, right side A. Yes. Q. Did any counties request that modification 6 in a black background and white letters. 7 this -- in the March -- for the March 2020 primary It says, "You must provide one of the 8 following numbers", and then underneath it there is a 8 election? 9 box with space for entering ID numbers or an SSN-four or 9 A. Yes. 10 a checkbox, is that correct? 10 Q. Do you recall which counties did so? 11 11 A. That's correct. A. I believe Tarrant and Dallas both had a little 12 Q. Is this the section that implements the SB 1 12 different situation with regard to the number under the 13 mail-in ballot provisions with respect to the 13 flap and the shorter cutaway flap. 14 application ballot by mail? 14 Q. Were there any counties that requested to 15 A. Yes. 15 modify for which the Secretary of State denied approval? 16 Q. And does this track the language of SB 1? 16 A. I don't think so. 17 17 A. It does. Q. Were there any counties that requested to 18 Q. And this has the if you do not have a Texas 18 modify for which the Secretary of State suggested 19 further modifications based on the proposed county's 19 driver's license, Texas personal ID number or Texas 20 modifications? 20 election identification certificate number, give the 21 last four digits of your social security number, 21 MR. JEFFREY WHITE: Objection, form. 22 correct? 22 A. Yes. We have -- we have suggested further 23 23 A. That's correct. 24 2.4 Q. (BY MR. STEWART) Looking at what is Page --Q. And so your direction to voters was to provide 25 that only if they did not have a Texas driver's license, 25 the third page of this PDF, and in the box about halfway

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1	down the page beginning, black background white letters,	1	MR. JEFFREY WHITE: Objection, form.
2	"Required Information", and then "you must provide one	2	A. The balloting materials are mailed by
3		3	counties.
4		4	Q. (BY MR. STEWART) By county.
5		5	
6		6	SB 1, specifically?
7		7	
8			verification a signature sheet, is to assist those
9			voters who don't know how to do the origami to put
	you do not have a Texas driver's license, or a personal		together a carrier envelope. So this can be used in
11			lieu of a carrier envelope, and it's specifically
١			
12			allowed by a statute for FPCA voters. So the original
			purpose of a signature sheet is to replace a carrier
14			envelope for voters who don't want to create a carrier
15			envelope from materials that have been emailed to them.
16		16	Q. So time form produced SE I.
17		17	F 33333
18		18	
19	Q. Are there currently any plans to modify this	19	March 2020 primary?
20	form for future elections?	20	A. That's correct.
21	A. Yes.	21	MR. JEFFREY WHITE: Objection, form.
22	Q. What are those plans?	22	Q. (BY MR. STEWART) Marked as it was modified
23	A. We have revised it. We are getting final	23	to reflect SB 1 before the March 2022 primary, correct?
24	approvals now, but it's got a red box around this, these	24	A. That's correct.
25	three, to draw attention to it.	25	Q. And is the language implementing SB 1 the box
_	Page 62		Page 64
1	Q. C. Maria and Com a desiration and consisting of		about a little less than halfway down the page that
2			begins "Required Information"?
3		3	111111111111111111111111111111111111111
4	Q. Are there any plans to modify the application	4	Q. This chart summarry to the carrier envelope
5	for a ballot by mail for the for future elections?	5	and the ballot by mail application, has the if you do
6	A. No.	6	not have a Texas driver's license language, correct?
7	Q. Show you one more.	7	A. That's correct.
8	MR. STEWART: I believe we're at 8?	8	MR. JEFFREY WHITE: Objection, form.
9	COURT REPORTER: Uh-huh.	9	Q. (BY MR. STEWART) And that tracks SB 1?
10	Q. (BY MR. STEWART) Are you familiar with this	10	A. It does.
11	document?	11	Q. Are there any plans to modify this form in the
12	(Plaintiff's Exhibit No. 8 was marked for	12	future?
13		13	A. We do not.
14	A. I am.	14	MR. STEWART: This is No. 9. Give that
15	Q. (BY MR. STEWART) What is this document?	15	to Jeff, I'll get the marked version.
16		16	
17		17	identification.)
18		18	
19			what's been marked as Exhibit 9, do you recognize this
20			form?
21		21	
	Quality and the state of the st		
	if I say FPCA, federal postcard applicant is this	22	
23	, , , , , , , , , , , , , , , , , , , ,	23	
24		24	
25	A. It's	25	A. Yes.

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Page 69 And this I'm looking at you'll see where Q. (BY MR. STEWART) Does the application go to 2 the early voting clerk has placed a checkmark next to 2 the Signature Ver -- excuse me, Signature Verification 3 the reason in bold, and then are those the -- these are Committee or Ballot Board? the two reasons why this form could be used? A. No. It goes to the early voting clerk. 5 MR. JEFFREY WHITE: Objection, form. 5 Q. And what does the early voting clerk do with 6 it? 6 A. (No verbal response.) 7 Q. (BY MR. STEWART) Underneath that? A. The same thing, they look to see whether the 8 A. Yes. number provided by the voter matches a number in the 9 Q. And this directs that a voter must give his or voter's record. 10 10 her Texas driver's license number, Texas personal Q. So is a different individual making the 11 11 identification card number, election identification determine whether the numerical requirement is met, 12 certificate number or the last four digits of his or her 12 based on whether it's on the initial application or the 13 cure? 13 social security number on an application for ballot by 14 mail, correct? 14 MR. JEFFREY WHITE: Objection, form. 15 15 A. If they want to use the ballot tracker, yes. A. Not exactly. 16 Q. (BY MR. STEWART) What do you mean by not 16 Q. I'm going to direct, sir, not just for the 17 ballot tracker but up top it says, "Your application for 17 exactly? 18 a ballot by mail has been received and reviewed, but is 18 A. Well, there's -- there's two kinds of cures, 19 defective for the reason checked below. New Texas law 19 there's the 86.0011, whenever the early voting clerk 20 20 requires that a voter must give his or her Texas notices a defect, especially -- they have to do it on 21 driver's license number, Texas personal identification 21 applications, but if they notice a defect on the carrier 22 card number, election identification certificate number 22 envelope, then they can notify the voter and have the or the last four digits of his or her social security voter correct the problem before it ever goes to the ²⁴ number on an application for ballot by mail", correct? Signature Verification Committee or the Ballot Board. 25 25 And the Signature Verification Committee and Ballot A. That's correct. Page 70 1 Board also have a cure process, but the 86.011 (sic) Q. And this does not create a hierarchy between 2 driver's license number, personal identification card process predates SB 1. 3 number, election identification certificate number and Q. If the early voting clerk does not indicate to 4 last four digits social security number, correct? 4 the voter that there is a problem, does the Early Voting A. That's correct. Ballot Board or Signature Verification Committee still Q. Does that differ from the application for 6 check the identification number requirement? MR. JEFFREY WHITE: Objection, form. ballot by mail itself? 8 8 MR. JEFFREY WHITE: Objection, form. A. Yes. They do so whether the early voting 9 A. Well, I -- I know what you're getting at, and clerk does or not. It's their job. 10 10 obviously the forms follow the law, because the forms MR. STEWART: What time -- what record 11 time are we at? 11 have to follow the law, and the -- the voter is directed 12 12 in the first instance to provide DL, and if no DL then COURT REPORTER: One hour, six minutes. 13 social, and that's what the form says. Here we're in 13 Q. (BY MR. STEWART) Do you want a break, or 14 you're good to go? 14 Signature Verification land and Ballot Board land, and 15 there's no hierarchy. 15 A. I'm fine. 16 Q. (BY MR. STEWART) What distinction are you 16 Q. I'll show you what we'll mark as --17 17 making between the initial application and Signature MR. STEWART: I believe this is 11? 18 Verification land or Ballot Board land? 18 Q. (BY MR. STEWART) -- No. 11. 19 19 MR. JEFFREY WHITE: Objection, form. (Plaintiff's Exhibit No. 11 was marked A. Like I said before, there's nothing in the 20 20 for identification.) 21 directions to the Signature Verification Committee or to 21 Q. (BY MR. STEWART) Do you recognize this 22 document? 22 the Ballot Board that suggests that they have to follow 23 23 a hierarchy. They are told to look at the number A. It looks like a slide presentation from Webex. 24 provided by the voter, and see if it matches a number in 24 Q. Did you give a presentation on or around

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25 the voter's record, that's all they're told to do.

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25 January 28, 2022 to county officials?

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1	says, "Note: As a reminder", and continues.	1	applicant's application for voter registration" mean to
2	When you refer to a reminder, what is	2	the Secretary of State's Office?
3	that a reminder of?	3	A. It means on their application for voter
4	MR. JEFFREY WHITE: Objection, form.	4	registration.
5	A. A reminder of the law.	5	Q. So the information on the bail car or
6	Q. (BY MR. STEWART) And who is that reminder to?	6	excuse me, ballot carrier envelope must match their
7	A. The early voting clerk.	7	
8	Q. And when were they initially apprised of the	8	A. No, sir. That's not what this says. It says
9	law?	9	
10	MR. JEFFREY WHITE: Objection, form.	10	Q. What does it say?
11	A. Well, in this document.	11	A. It says it has to identify the same voter
12	Q. (BY MR. STEWART) I'm just trying to get if	12	identified on the VR application.
13	it's a reminder, what was the initial indication they	13	Q. Okay. And it says, "If the information
14	received of the law?	14	required under Section 84.002(a)(1-a)", what is Section
15	A. Well, that doesn't mean that there was another		84.002(a)(1-a)?
16	communication.	16	
17	Q. Okay.	17	license or last four of social be included on the ABBM.
18	A. This is just hey, look at this.	18	Q. Does that language in 84.002(a)(1-a) reflect
19	Q. And this scenario does not reflect a hierarchy	19	the hierarchy?
20	between the driver's license number and the social	20	MR. JEFFREY WHITE: Objection, form.
21	security number, correct?	21	A. It does.
22	A. It absolutely does not, that's correct,	22	Q. (BY MR. STEWART) And so it's the Secretary of
23	because neither does 86.001(f).	23	State's interpretation that that hierarchy was not
24	Q. I'm sorry, who came up with that	24	
25	interpretation of 86.001(f)?	25	
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1	A. It's not an interpretation, it's what it says.	1	Q. How did you arrive at that interpretation?
2	Give me the Election Code, I'll look it up and show you.	2	
3	Q. So there are provisions of the Election Code		the information included that's required by that section
	that do not go interpreted by the Secretary of State's		has to identify the same voter.
5	Office?	5	Q. And the information required by that section
6	MR. JEFFREY WHITE: Objection, form.		refers to 84.002(a)(1-a), right?
7	A. It's not an interpretation, it's what the text	7	
	says. The text says if a number matches some a	8	Q. And (a)(1-a)(B) says, "if the applicant has
9	number in the record, then you accept the application.	9	increase a manifest accommend 2, management (1.1),
10	Q. (BY MR. STEWART) So we'll mark, this is, I		correct?
11	believe 13?	11	MR. JEFFREY WHITE: Objection, form.
12	(Plaintiff's Exhibit No. 13 was marked	12	, as as a second of the second
13	,		says does the information identify the same voter?
14	MR. STEWART: Sorry.		That's the end of the hunt for the early voting clerk
15	MR. JEFFREY WHITE: Thanks.		whenever they're reviewing an ABBM.
16	Q. (BY MR. STEWART) Is this Section 86 of the	16	Q. (BY MR. STEWART) Does 86.001(f) refer to
17	Election Code?		84.002(a)(1-a)?
18	A. It is.	18	A. Sure.
19	Q. Could you read Section 86.001(f) for me?	19	Q. And you're saying that reference does not
20	A. "If the information required under		include if the applicant has not been issued a number
21	84.002(a)(1-a) included on the application does not		described by Paragraph A language?
22	identify the same voter identified on the applicant's	22	
23	application for voter registration under Section		could have put the hierarchy here. They did not.
24		24	Q. They could not do that by referring to the
25	Q. What does the phrase "identified on the	25	other statutory provision?

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	•		
1	Page 89 registration record", in parens, "and thus verify the	1	Q. If the voter has numbers in the DPS record
2		2	or excuse let me withdraw that.
3	and send a ballot to the voter".	3	If the voter has a driver's license
4	Is that still the current interpretation?	4	number in the DPS database, but it's not reflected in
5	A. Sure.	5	the TEAM database, and has a social security number in
6	Q. Yeah. And so when there is an affirmatively	6	the DPS database, but it's not reflected in the TEAM
	incorrect number on an ABBM, it is still accepted as	7	database, will their ballot be accepted if they check
8		8	that box under this scenario?
9	A. If the number matches and can identify the	9	MR. JEFFREY WHITE: Objection, form.
10		10	A. We don't check the DLs database whenever we're
	then yes.	11	looking at ABBMS, we look at TEAM.
12	Q. What's the statutory basis for that	12	Q. And by DLs you mean DPS?
13		13	A. That's right.
14		14	Q. Okay.
15	A. 86.001(f).	15	
16	Q. Who arrived at that interpretation? A. Our office.		MR. STEWART: We are on sorry, getting
17			another paper here
	Q. Did Secretary of Scott did Secretary Scott	17	COURT REPORTER: 14.
18	·	18	MR. STEWART: 14.
19	A. I don't know if he reviewed that or not, but	19	Q. (BY MR. STEWART) All right. I'll show you
		20	what we're marking as Document 14.
21	numbers on the on the forms.	21	(Plaintiff's Exhibit No. 14 was marked
22	Q. So he just so I heard you correct, you said		for identification.)
23	The second secon	23	Q. (BY MR. STEWART) Do you recognize this
24		24	document?
25	A. That you can and you should.	25	A. I do.
1	Q. I see. But you don't know whether he reviewed	1	O. What is this document?
2	this interpretation, specifically, about	2	A. This is the global rejection of an application
3	A. He had he had the opportunity to review it.	3	for ballot by mail.
4	I didn't hear anything from him specifically about any	4	O. And in what circumstances is this sent?
5	of this.	5	A. For any of the ordinary rejection reasons.
6	Q. And by had the opportunity, was this document	6	Q. Uh-huh. And then I'll show you and by
7	sent to him before it was issued?	7	ordinary rejection reasons, what do you mean?
8	A. It was sent to everybody, yes.	8	A. You know, the any of them. I mean, there -
9	Q. Scenario 8, "Voter indicates on the ABBM that	9	- there's a list here of 17, do you want me to read
10	they have not been issued any of the required personal		them?
	identification numbers. If the voter's voter	11	Q. No. You don't need to do that.
	registration record does not contain any of these	12	MR. STEWART: And then this is? Sorry.
	numbers, the early voting clerk must accept the ABBM and	13	COURT REPORTER: 15.
	send a ballot to the voter", is that still the current	14	MR. STEWART: 15.
15	guidance?	15	Q. (BY MR. STEWART) I'll show you what's been
16	A. That is.	16	marked as No. 15.
17	Q. Is any check run to see whether the voter is	17	(Plaintiff's Exhibit No. 15 was marked
18	correct, that they have not been issued those personal		for identification.)
19	identification numbers?	19	Q. (BY MR. STEWART) Do you recognize this
20	A. That's what this provides. They the voter	20	document?
	indicates that they don't have any of these numbers,	21	A. I do.
	there's not any of these numbers in the record, that's	22	O. What is this document?
23		23	A. It's called a Notice of Carrier Defect.
24	Q. And is that checked against TEAM?	24	
	_		Q. And what is the purpose of this document?
25	A. It's checked against TEAM.	25	A. This is to help the voter with do the

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 1 help the early voting clerk and the voter do the 86.011 Page 95 1 A. That's right, because --2 2 (sic) process that we talked about before. O. And what's --A. -- they're for a different purpose in front of Q. Was this prepared by the Secretary of State's 3 4 Office? a different audience. 5 Q. I'm sorry, what do you mean by a different A. It was. 6 Q. And is this used by county officials? 6 purpose? 7 A. Well, the first one is the one that's A. Yes. 8 Q. Can county officials request to amend this initially used by the voters, all the rest of these are 9 document? used by the Signature Verification Committee --10 10 A. Yes. Committee or Ballot Board. 11 11 Q. Did any request to amend the document for the Q. Sorry, this document is not used by voters? 12 March 2022 primary? 12 A. No. It's used by a voter to -- to correct an 13 13 issue in front of the Signature Verification Committee A. No. 14 Q. And then if you turn to the second page of 14 or the Ballot Board. 15 15 this document, what is this form? Q. Are voters providing different information 16 with this document? 16 A. It's corrective action form. 17 17 A. No. Q. And what is the purpose of the corrective 18 action form? 18 Q. So they are being used, directed with 19 A. To correct the ap -- the problems with the 19 different language to provide the same information? 20 20 carrier envelope. MR. JEFFREY WHITE: Objection, form. 21 Q. Uh-huh. And is this provided to a voter to 21 A. No. We're at a different stage of the 22 return to correct those problems? 22 process. 23 23 A. That's correct. Q. (BY MR. STEWART) Is this information required 24 Q. Okay. And was this approved by the Secretary ²⁴ for the voter's ballot to be accepted? 25 of State's Office? 25 Page 94 Page 96 Q. And so when you say different stage of the A. Yes. 2 Q. Are counties able to amend this document? 2 process, what are you referring to? 3 A. I'm referring to the fact that we're in front 4 of the Signature Verification Committee or the Ballot Q. Turning to what is Box 4 it says, "Missing or 5 incorrect personal identification numbers or social 5 Board, we are not in the voter's house about to send it 6 off. 6 security number." This box does not create a hierarchy Q. Sorry, so you're saying that the hierarchy to 8 between the driver's license or personal identification provide driver's license or ID card, and then social card number and the last four digits of social security security number only if that's not listed, applies only 10 number, right? when the voter is filling out the form, but not when 11 A. That's correct. it's being reviewed by county officials? 12 12 MR. JEFFREY WHITE: Objection, form. MR. JEFFREY WHITE: Objection, form. 13 Q. (BY MR. STEWART) Does that track the language 13 A. The law is different in that case, we've 14 of 86.002? 14 already discussed this. 15 15 Q. (BY MR. STEWART) And was that interpretation MR. JEFFREY WHITE: Objection, form. 16 A. Do you mean 84.002? 16 discussed with Secretary Scott? 17 17 A. We talked about all of this stuff. Q. (BY MR. STEWART) Well, this is for the 18 carrier envelope, correct? 18 Q. Was that interpretation directed by Secretary 19 19 Scott? A. Oh. No. It does not, but this is not a part 20 20 of the carrier envelope application or any of those A. We talked about all of this stuff. 21 processes, this is at the Signature Verification 21 Q. What do you mean by we've talked about all 22 Committee. 22 this stuff? 23 23 Q. So the Secretary of State's position is that A. We've talked about all of these things. 2.4 24 the carrier envelope needs to track the language of the Q. Who is the we? ²⁵ law, but other documents for this requirement do not? A. Me, Christina, Adam, our communications

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Page 97 Page 99 1 director Sam Taylor, the secretary, the deputy 1 A. She is the election administrator in Bexar 2 County. 2 secretary. Q. So the secretary was part of those Q. Uh-huh. If you could take a second to review conversations? the first email in this chain, dated Friday, January 21, 5 5 2022 at 10:31 a.m., what do you understand Ms. Callanen A. Absolutely. 6 Q. How frequently was the secretary involved in to be asking? 7 those conversations? A. Well, I don't have the attachments, but what 8 A. Not often. appears to have happened is that someone sent in an 9 Q. About how -- about how many times? application for ballot by mail with a copy of their 10 10 driver's license. A. When we were about ready to release product. 11 11 Q. So he would review the product after -- or Q. And it appears that otherwise the application 12 excuse me, at about the time it was ready to be 12 for ballot by mail, identification number or social 13 released? security number portions were not filled out, correct? 14 A. That's right. 14 A. Looks like it. 15 15 Q. And what was your response to Ms. Callanen Q. Did he suggest any changes to the product? 16 when she asked what to do with that --MR. JEFFREY WHITE: Objection --16 17 17 A. That the DL --A. No. sir. 18 MR. JEFFREY WHITE: -- to the extent 18 Q. -- application? 19 you're -- this gets into the deliberative process while 19 A. -- copy could supplement the ABBM, and that 20 they're debating policies before they're finalized. I 20 they could use that DL copy to update the voter 21 am going to instruct him that he is not to disclose the 21 registration record with that driver's license number 22 content of discussions that would have gone into 22 and accept that application. 23 23 deliberation regarding the final form. But if it's Q. So the guidance was that if TEAM did not 24 regarding what the final form is, then he can speak to 24 reflect a driver's license number, but the voter sent a 25 that. copy of their driver's license, that copy could be used Page 100 Page 98 to both update TEAM, and then accept the application for 1 MR. STEWART: Well, let me just probe 2 that for a second. 2 ballot by mail? 3 3 Q. (BY MR. STEWART) Was the purpose of these MR. JEFFREY WHITE: Objection, form. 4 4 conversations with the secretary to develop policy? A. That's correct. 5 A. Not really. 5 Q. (BY MR. STEWART) Is that the official 6 interpretation of the Secretary of State's Office? 6 Q. Okay. So did Secretary Scott direct any changes to those forms? A. Sure. A. He did not. Q. Are you aware of any other circumstances where 8 8 MR. STEWART: We are at 17? 9 that happened? 10 COURT REPORTER: 16. 10 A. Not this, precisely, but we have had 84.014 11 get discussed quite a bit by county election officials. 11 MR. STEWART: 16, excuse me. 12 12 Q. (BY MR. STEWART) I'm sorry. Q. And what is 84.014? 13 A. I can get it. 13 A. It says that your -- you can use information 14 14 Q. Okay. I thought I was getting better. on an application for ballot by mail to update a voter 15 MR. JEFFREY WHITE: We'll get a smaller 15 registration record. 16 table next time. 16 Q. And what were those discussions? 17 17 Q. (BY MR. STEWART) So I'll show you what's been A. They wanted to know can you use the 18 marked as Document 16, it is Bates stamped "State052241" 18 application that's got a number that you don't have in 19 on the bottom. the file to update the record, and the answer to that is 20 20 (Plaintiff's Exhibit No. 16 was marked no. And the reason why you could here is because they 21 for identification.) 21 sent in a copy of the driver's license. 22 22 Q. (BY MR. STEWART) This appears to be an email Q. Why is the answer generally no? 23 23 between you and Jacque Callanen, is that correct? A. Because then it tautology and SB 1 would be 2.4 24 ineffective. A. That's correct. Q. Who is Ms. Callanen? Q. And why is that?

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1	CHANGES AND SIGNATURE	Page 217	1	Page 219 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS
2	WITNESS NAME: KEITH INGRAM		2	SAN ANTONIO DIVISION
3	DATE OF DEPOSITION: 04/26/2022		3	LA UNION DEL PUEBLO ENTERO) et al.,
4			4	et al.,) Plaintiffs,)
5	PAGE LINE CHANGE REASON		5	v. () Civil Action No. SA-21-CV-) 00844-XR
6			6	GREGORY W. ABBOTT, et al.,) (Consolidated Cases) Defendants.
7			7	•
8			8	
9			9	DEDODTEDIO CEDTIFICATIONI
10			10	REPORTER'S CERTIFICATION DEPOSITION OF ASEITH INGRAM
11 12			11	APRIL 26, 2022
13			13	
14			14	I Nancy Newhouse Certified Shorthand Penerter
				I, Nancy Newhouse, Certified Shorthand Reporter
15				in and for the State of Texas, hereby certify to the
16 17			17	following: That the witness, KEITH INGRAM , was duly sworn by
18				the officer and that the transcript of the oral
19				deposition is a true record of the testimony given by the
20			20	witness;
21			21	That the deposition transcript was submitted on
22			22	to the witness or to the attorney for
23				the witness for examination, signature and return to me
24				by
25			25	
		Page 218		Page 220
1	I, KEITH INGRAM , have read the foregoing		1	That the amount of time used by each party at
2	deposition and hereby affix my signature that same is			the deposition is as follows:
3	true and correct, except as noted above.		3	Mr. Michael E Stewart - 02:20 Mr. Richard Dellheim - 00:00
4			4	Mr. Dan Freeman - 00:00 Ms. Jennifer J. Yun - 00:00
5	KEITH INGRAM		5	Mr. Jason S. Kanterman - 02:41 Ms. Eliza Sweren-Becker - 00:00
6 7	KEITH INGRAM		6 7	Mr. Graham W. White - 00:00 Mr. Patrick Berry - 00:00
8			8	Mr. Jeffery White - 00:00 Ms. Kathleen T. Hunker - 00:00 Mr. Aaron Barnes - 00:00
9	THE STATE OF TEXAS)		9	Mr. Aaron Barnes - 00:00 Mr. Adam Bitter - 00:00 Mr. David Louk - 00:00
	COUNTY OF)		10	Ms. Wendy Olson - 00:00 Ms. Lisa Cubriel - 00:00
11	Before me,, on this		11	Mr. Anthony Nelson - 00:00 Ms. Leigh Tognetti - 00:00
	day personally appeared KEITH INGRAM , known to me (or		12	Ms. Lia Sifuentes - 00:00 Mr. Zachary David Dolling - 00:00
	proved to me under oath or through)	13	
14	(description of identity card or other document) to be	_,	14	That pursuant to information given to the
_	,			
15	the person whose name is subscribed to the foregoing		15	deposition officer at the time said testimony was taken,
	instrument and acknowledged to me that they executed the			the following includes all parties of record:
				the following includes all parties of record:
16 17	instrument and acknowledged to me that they executed the		16	the following includes all parties of record: Mr. Michael E. Stewart, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest
16 17	instrument and acknowledged to me that they executed the same for the purposes and consideration therein		16 17	the following includes all parties of record: Mr. Michael E. Stewart, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530
16 17 18	instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.		16 17 18	the following includes all parties of record: Mr. Michael E. Stewart, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530 Mr. Richard Dellheim, Attorney for Plaintiff DOJ
16 17 18 19	instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this		16 17 18 19	the following includes all parties of record: Mr. Michael E. Stewart, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530 Mr. Richard Dellheim, Attorney for Plaintiff DOJ
16 17 18 19 20	instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this		16 17 18 19 20	the following includes all parties of record: Mr. Michael E. Stewart, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530 Mr. Richard Dellheim, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530 Mr. Dan Freeman, via Zoom, Attorney for Plaintiff
16 17 18 19 20 21	instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this,		16 17 18 19 20 21	the following includes all parties of record: Mr. Michael E. Stewart, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530 Mr. Richard Dellheim, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530 Mr. Dan Freeman, via Zoom, Attorney for Plaintiff Attorney for Plaintiff DOJ TRIAL ATTORNEY WOTING SECTION CIVIL RIGHTS DIVISION
16 17 18 19 20 21 22	instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this		16 17 18 19 20 21 22	the following includes all parties of record: Mr. Michael E. Stewart, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530 Mr. Richard Dellheim, Attorney for Plaintiff DOJ UNITED STATES 950 Pennsylvania Avenue, Northwest Washington, DC 20530 Mr. Dan Freeman, via Zoom, Attorney for Plaintiff Attorney for Plaintiff DOJ

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Keith Ingram 56 (221 - 223) 56 (221 - 223)

┱,	20/2022		30 (221 - 223)
1	ALL PARTIES OF RECORD Continued	1	ALL PARTIES OF RECORD Continued
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6 7 8 9	Mr. Jason S. Kanterman, Attorney for Plaintiff LUPE, Southwest Voter Registration Education Project, Mexican American Bar Association of Texas, Texas Hispanics Organized for Political Education, Jolt Action, William C. Velasquez Institute, Fiel Houston, Inc. LAW OFFICES OF FRIED, FRANK, HARRIS, SHRIVER & JACOBSON, LLP One New York Plaza New York, New York 10004	6 7 8 9	Ms. Lia Sifuentes Davis, via Zoom, Attorney for Defendant Bexar County DISABILITY RIGHTS TEXAS 2222 West Braker Lane Austin, Texas 78758 Telephone: (512) 454-4816 Fax: (512) 454-3999 email: Idavis@drtx.org
10 11	Ms. Eliza Sweren-Becker, via Zoom, Attorney for Plaintiff LUPE VOTING RIGHTS & ELECTIONS PROGRAM Brennan Center for Justice at NYU School of Law	10	I further certify that I am neither counsel
12		12	for, related to, nor employed by any of the parties or
13	Mr. Graham W. White, via Zoom, Attorney for Plaintiff LULAC LAW OFFICES OF ELIAS LAW GROUP, LLP 10 G Street NE, Suite 600 Washington, D.C. 20002	13	attorneys in the action in which this proceeding was
14	10 G Street NE, Suite 600 Washington, D.C. 20002	14	taken, and further that I am not financially or otherwise
15	Mr. Patrick Berry via Zoom Attorney for Plaintiff	15	interested in the outcome of the action.
16	Mr. Patrick Berry via Zoom Attorney for Plaintiff COUNSEL, DEMOCRACY PROGRAM Brennan Center for Justice 120 Broadway, Suite 1750 New York, New York, 10271 Mr. Jeffery White, Attorney for Defendant OAG ATTORNEY GENERAL KEN PAXTON OFFICE SPECIAL COUNSEL SPECIAL LITIGATION UNIT P.O. BOX 12548	16	Certified to by me this 3rd day of May, 2022.
17	120 Broadway, Suite 1750 New York, New York, 10271	17	
18	Mr. Jeffery White, Attorney for Defendant OAG ATTORNEY GENERAL KEN PAXTON OFFICE	18	NANCY NEWHOUSE Texas CSR 9000
19	SPECIAL COUNSEL SPECIAL LITIGATION UNIT P.O. Box 12548	19	NANCY NEWHOUSE, Texas CSR 9000 Expiration Date: 08/31/23 Firm Registration No. 223 Worldwide Court Reporters, Inc. 3000 Weslayan, Suite 235 Houston, Texas 77027 Telephone: (800) 745-1101
20	P.O. Box 12548 Austin, Texas 78711	20	Worldwide Court Reporters, Inc.
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24		24	
25		25	
1	Page 222 ALL PARTIES OF RECORD Continued		
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23			
24			
25			

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Exhibit 9



In The Matter Of

La Union Del Pueblo Entero, et al.,

Plaintiffs

ν

State Of Texas, et al.,

Defendants

CASE

5:21-cv-844

Date

5-6-2022

Witness

Brian Keith Ingram, JD

Volume II of II

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1 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS 2 SAN ANTONIO DIVISION LA UNION DEL PUEBLO 3 ENTERO, ET AL., § Civil Action No. 4 Plaintiffs, 5:21-cv-844 (XR) 5 VS. § (Consolidated Cases) 6 STATE OF TEXAS, ET AL., Defendants. 7 8 ORAL DEPOSITION OF BRIAN KEITH INGRAM, J.D. 9 CORPORATE REPRESENTATIVE FOR THE TEXAS SECRETARY OF STATE OFFICE MAY 6, 2022 10 VOLUME 2 OF 2 VOLUMES 11 ******************** 12 13 ORAL DEPOSITION OF BRIAN KEITH INGRAM, 14 J.D., CORPORATE REPRESENTATIVE FOR THE TEXAS SECRETARY OF STATE OFFICE, produced as a witness at the instance 15 16 of the Mi Familia Vota Plaintiffs, and duly sworn, was 17 taken in the above-styled and numbered cause on the 6th 18 day of May 2022, from 9:01 a.m. to 12:58 p.m., before 19 Caroline Chapman, CSR in and for the State of Texas, 20 reported by Computerized Stenotype Machine, 21 Computer-Assisted Transcription, held at the Price 22 Daniel Sr State Office Building, 209 West 14th Street, 23 Austin, Texas, and via web-based conference pursuant to 24 the Federal Rules of Civil Procedure. 25

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OCA-APPX-0189

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229 Brian Keith Ingram JD

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1	EXHIBITS (CONTINUED)
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1	EXHIBITS (CONTINUED)
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1	Q. And below it is an email from Kristi Hart to			
2	yourself and Mr. Bitter from earlier that same day; is			
3	that right?			
4	A.	Agreed.		
5	Q.	Who is Ms. Hart?		
6	A.	She is our team team manager.		
7	Q.	And it says, "As you know, we ran a comparative		
8	proces	ss over the weekend. We did run queries prior to		
9	and fo	llowing the process. That information is listed		
10	below	." Do you see that?		
11	A.	I do.		
12	Q.	Can you explain, essentially, what this table		
13	means? So "query," I take it, is like questions or a			
14	search run across a database; is that right?			
15	A.	That's right.		
16	Q.	And what does "before" mean?		
17	A.	Before we did the HB 2512 matching process.		
18	Q.	All right. And then, just for the record,		
19	describe what that process involves?			
20	A.	The HB 2512 process allows us to get		
21	infor	nation from the driver's license record to		
22	suppl	ement voter registration records and use it for		
23	voter	registration purposes.		
24	Q.	All right. And so once this is done, for		
25	exam	ole, on the top one and we are talking about		

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1	CHANGES AND SIGNATURE				
2	PAGE	LINE	CHANGE	REASON	
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6	I, BRIAN KEITH INGRAM, J.D., have read the
7	foregoing deposition and hereby affix my signature that
8	same is true and correct, except as noted above.
9	
10	BRIAN KEITH INGRAM, J.D.
11	STATE OF TEXAS)
12	COUNTY OF TRAVIS)
13	Before me,, on this
14	the day personally appeared BRIAN KEITH INGRAM, J.D.
15	known to me to be the person whose name is subscribed to
16	the foregoing instrument and acknowledge to me that they
17	executed the same for the purposes and consideration
18	therein expressed.
19	Given under my hand and seal of office
20	this day of, 2022.
21	
22	
23	NOTABY BUBLIC IN AND FOR
24	NOTARY PUBLIC IN AND FOR THE STATE OF
25	

1 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS 2 SAN ANTONIO DIVISION 3 LA UNION DEL PUEBLO ENTERO, ET AL., 4 Plaintiffs, § Civil Action No. 5:21-cv-844 (XR) § (Consolidated Cases) 5 VS. 6 STATE OF TEXAS, ET AL., Defendants. 7 REPORTER'S CERTIFICATION 8 ORAL DEPOSITION OF BRIAN KEITH INGRAM, J.D. 9 CORPORATE REPRESENTATIVE FOR THE TEXAS SECRETARY OF STATE OFFICE 10 MAY 6, 2022 ********************* 11 12 I, CAROLINE CHAPMAN, Certified Shorthand 13 Reporter in and for the State of Texas, hereby certify 14 to the following: 15 That the witness, BRIAN KEITH INGRAM, 16 J.D., was duly sworn by the officer and that the 17 transcript of the oral deposition is a true record of 18 the testimony given by the witness; 19 That the deposition transcript was submitted on May _____, 2022 to the witness or to the 20 21 attorney for the witness for examination, signature, and 22 return to me within 20 days; 23 That the amount of time used by each party 24 at the deposition is as follows: 25 Ms. Wendy J. Olson - Two hours and

5/6/2022

1	thirty-seven minutes.
2	Ms. Hunker - Eleven minutes.
3	That pursuant to information given to the
4	deposition officer at the time said testimony was taken,
5	the appearance page includes all parties of record.
6	I further certify that I am neither
7	counsel for, related to, nor employed by any of the
8	parties or attorneys in the action in which this
9	proceeding was taken, and further that I am not
10	financially or otherwise interested in the outcome of
11	the action.
12	Certified to by me on 16th day of May,
13	2022.
14	
15	CAROLINE CHAPMAN, Texas CSR 467
16	Expiration Date: 03/31/2023 Firm Registration No. 223
17	WORLDWIDE COURT REPORTERS 3000 Weslayan, Suite 235
18	Houston, Texas 77027 (713) 572-2000
19	(710) 071 2000
20	
21	
22	
23	
24	
25	

Transcript Errata Sheet For						
Case Number: Case Name:						
Now Reads	Should Read	Remove Therefore				
i tile Deponent:						
	er: Now Reads of the Deponent:	er: Now Reads Should Read				

NCRNETWORK@NationalCourtReporters.com

Exhibit 10

Keith Ingram March 28, 2023

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1
                 IN THE UNITED STATES DISTRICT COURT
                 FOR THE WESTERN DISTRICT OF TEXAS
 2
                      SAN ANTONIO DIVISION
     LA UNION DEL PUEBLO ENTERO,
 3
     et al.,
                      Plaintiffs,
                                     )Civil Action No.
 4
          vs.
     STATE OF TEXAS, et al.,
                                    )5:21-cv-844(XR)
                      Defendants. )(Consolidated Cases)
 5
 6
 7
                           ORAL DEPOSITION OF
                           KEITH INGRAM
                           March 28, 2023
 8
                               Volume l
 9
10
11
          ORAL 30(b)(6) DEPOSITION OF KEITH INGRAM, Volume
     1, produced as a witness at the instance of the
12
13
     Plaintiff, and duly sworn, was taken in the
14
     above-styled and numbered cause on March 28, 2023, from
15
     4:22 p.m. to 7:22 p.m., before Dana Shapiro, CSR, in
     and for the State of Illinois, reported by machine
16
17
     shorthand, at 209 W. 14th Street, Austin, Texas 78701,
     pursuant to the Federal Rules of Civil Procedure and
18
19
     any provisions stated on the record or attached
20
     hereto.
21
22
23
24
25
```



Keith Ingram

March 28, 2023

Page 2

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March 28, 2023

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Keith Ingram

March 28, 2023

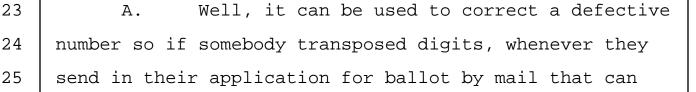
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1 determined or not? 2. Α. Well, Kristi Hart would be the one to ask the detailed information like that. 3 4 Q. When --Don't tell her I used her name. I will get 5 Α. killed. 6 7 During your prior deposition today when Ο. Mr. Freeman was asking questions, you spoke about the 8 9 ballot tracker at votetexas.gov, correct? 10 MS. HUNKER: Objection, form. 11 BY THE WITNESS: 12 Α. So the ballot by mail tracker I don't think 13 is -- I mean I know it's not at votetexas.gov. You can 14 get to it from there and you can get to it from SOS 15 website, but it's hosted actually by our third party vendor who does TEAM for us. 16 BY MR. STEWART: 17 18 Understood. Can that tracker be used to Ο. cancel an ABBM? 19 20 Α. No. 21 No. It can be used to correct information, 0.



22

right?



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Page 17

be corrected in the tracker.

2.

- Q. Is there anything else that can be corrected in the tracker?
- A. If they left off the information but TEAM has it, they can do that in the tracker as well.
 - O. How can a voter cancel ABBM?
- A. So cancellation is not one of those things
 I want to talk about off the top of my head. Do you
 want me to go up election code and talk about the
 different ways of cancelling?
- Q. If you could tell me where in the election code it is.
 - A. Chapter 84.
 - Q. The law I guess -- withdraw that.
- What is in chapter 84 details all of the ways by which an ABBM canceled?
- A. That's correct. You know, generally a voter can do it by surrendering their mail ballot in person at the polling place and voting in person or go to voting clerk office and fill out a cancellation form and then go vote in person.
- Q. Would you say those are the two most common ways it's done?
- A. That's generally what it is and there is other permeations of those two that get very



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- She says that Tarrant's reply was that the O. voter had to come to their office to fix the issue, correct?
 - Α. That's what she says.

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- Would advice be correct, to the best of 0. your knowledge?
- Well, it kind of depends what issue they Α. were telling her that she needed to correct. If she needed to correct the number in the voter registration record obviously she could do that with a voter registration application and she doesn't need to come in person. If she's trying to fix the problem with the application for ballot by mail then probably she needs to show up in person or fill out a new application with the transposed digits.
- I see. So if the problem were with the Ο. ABBM, would she be able to correct that in the portal?
- If the problem was that the original number Α. was transposed, the only way to fix it in the portal was to create the transposed numbers are correct.
- The portal can't be used to change what's Ο. in TEAM, it only be used to change what's on the ABBM?
 - Α. That's correct.
- So how would she fix the issue -- if it is Ο. correct that the issue in TEAM, what ways could she be



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1 | directed to fix that?

A. I think the only way you can fix that to fill out a new voter registration application with the correct number.

Q. So if TEAM then is the source of transposition, it would be correct from Tarrant that she would need to go into the office to correct that?

MS. HUNKER: Objection, form.

BY THE WITNESS:

A. You don't need to fill out a voter registration application in person.

BY MR. STEWART:

- Q. That's something she also could have done remotely, correct?
 - A. That's correct.
- Q. If it's correct in fact that the numbers are transposed in TEAM, she would not be able to enter the portal entering the correct number, right?
- A. That's correct. She would have to enter the transposed number and agree it's the correct number for her mail bound application to be accepted.
- Q. Got it. I want to turn to -- I think last year when we spoke we discussed the HB2512 process; do you recall?
 - A. I do.



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1 That's the process for present purposes by 0. which driver's license, ID number or SSN data is 2. imported from DPS database into team, correct? 3 4 Α. That's correct. 5 Was the HB2512 process run at any point in 0. 2022 following the primary election? 6 7 No. Α. Was it --8 Ο. 9 It was in December. Α. In December following the general election? 10 Q. 11 Α. Not before the general. 12 Q. Not before the general, but in 2022 13 following -- let me withdraw that. It was not run 14 between the primary and the general, correct? 15 Α. That's correct. 16 It was run following the general before the 0. 17 end of the year? 18 I agree. Α. 19 Has it been run again since then? Ο. 20 No, sir. Α. 21 Is that a regular annual process is that 0. 22 why it was run in December? 23 Α. It has historically been run in December, not every December, but obviously the last two. 24



I'm going to hand you what will be SOS 5. I

25

Q.

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1 will state I don't know why this document presented without a Bates number. You Bates number on it. 2. 3 state 137751. Just to put that on the record. 4 (WHEREUPON, a certain document was 5 marked Deposition Exhibit No. 5, for identification, as of 3/28/23.) 6 7 MS. HUNKER: Thank you. BY MR. STEWART: 8 9 Do you recognize this document, Mr. Ingram? O. 10 Α. I do. What is this? 11 0. 12 Α. This is the result of the comparison 13 process from December of '22. 14 Q. That's the same HB2512 process we were just 15 discussing? 16 Α. That's correct. 17 Q. So the initial numbers, would they reflect 18 the state of the database following the 2021 process? 19 Plus whatever changes were made in the Α. 20 course of the 2022. 21 So they wouldn't reflect any changes from a 0. 22 systemic process, but they could represent -- reflect 23 what I will call ad hoc changes to individual records? 24 MS. HUNKER: Objection, form. 25 BY THE WITNESS:



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Page 43

1 A. Agree with that.

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Q. That number moved by less than 2,000, correct?

- A. It looks like about 1,300 maybe.
- Q. Why do you think the movement in that was smaller than in the other categories?
- A. Because it's the hardest category to do anything with.
- Q. Have you discussed any way to capture more, improve the HP2512 process for that category of voters in the future?
 - A. No.
- Q. Just a couple quick questions. After the HP2512 process is run, how are those changes filtered out to off-line counties?
- A. They are supposed to sync their data with ours on a monthly basis.
 - Q. That occurs monthly?
 - A. It does or it's supposed to.
- Q. Is that a two-way sync? So, for example, if something gets changed in the county's off-line database more recently than the information in TEAM, should that be then filtering into TEAM as well?
- A. So there is two different things that you might be confusing here. Any changes in voter



registration record that the county gets from the voter is supposed to be reported nightly. So that's what we call our batch process. That's not the same as syncing the data. Syncing the data means we want to make sure everything we have got in our system is captured in off-line system so the databases are identical, right. So the goal is to have zero differences in the sync This kind of change in the SOS file is what we file. are trying to sync to the voters. Then of course there are other kinds of changes the county makes with regard to pre-syncing in particular that aren't reflected in an individual voter change that we would get in a batch process. We want to sync those up as well. So those are the two things that we are syncing is making sure that everything from our database is in theirs and making sure all of their precinct lines they may have re-drawn are in ours.

- Q. Taking those two processes separately because I assume -- do those processes run at the same time?
 - A. Yes.

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- Q. They do?
- A. The sync is simultaneous.
- Q. So the sync is referring to information from TEAM filtering down to the counties?



1 Α. That's right. 2. Q. That occurs monthly? It's supposed to occur monthly. We have to 3 Α. 4 do it much less often. With this change in law it 5 became expedient to do it more often. All new registrations are entered by the 6 0. 7 county into their databases, correct? That's right, many changes to registration 8 Α. 9 is entered. 10 Ο. Those changes are coming upward to TEAM 11 daily? 12 Α. That's right. 13 Then new information from HP2512 is going 0. 14 from TEAM to the counties monthly? Well, we sync the database monthly. 15 Α. new information from 2512 is obviously an annual thing. 16 17 Q. I see. It would be part of that monthly 18 sync process? 19 It would. Α. 20 Information entered into the texas.gov O. 21 portal that gets pulled over, where does that go first? 22 Α. To TEAM.

A. That's right.

Ο.

monthly process?

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That will to the counties as part of the

1 If there is any difference in the county Ο. 2. and state databases, would those likely be due to a lag in time between basically the monthly process 3 4 occurring? MS. HUNKER: Objection, form. BY THE WITNESS: 6 7 That's right, or they haven't resolved Α. everything that was a difference in the last sync file. 8 BY MR. STEWART: 9 10 What does it mean to resolve it? Ο. To choose one or the other. 11 Α. 12 Q. When something comes down from the sync 13 file from TEAM to the county, the county needs to 14 resolve each of those in their own database? 15 Α. That's correct. 16 If there is an import from Texas.gov, those 0. 17 cannot be used by the county in the cure process until 18 the next sync occurs; is that correct? 19 No, they can use TEAM. They are -- all Α. 20 have access to TEAM and we told them to use tell. 21 They wouldn't be reflected in the county, 0. 22 but the instruction from the SOS is to also look in the TEAM database? 23



Do you know if all counties follow that

That's right.

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Α.

Q.

trouble with the residence address.

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- Q. Any other issues?
- A. No. There were some off-line counties in the primary that said they weren't getting the ballot tracker updates which is why we were sending a separate spreadsheet so they were getting it through the system as well as from the spreadsheet from us.
- Q. There were off-line counties that reported that ballot tracker updates were not coming from the monthly sync process?
- A. No. Nightly batch process. So if the voter uses the ballot tracker to confirm their numbers, there should be report of that that shows up on the off-line county's dashboard. They were saying they weren't getting them so we sent them manually as well through the system.
 - Q. Those were in Excel spreadsheets?
- A. I don't know. CSV file, something like that.
- Q. Just something that the county could use to manually look up that information outside of the database?
- A. Well, to manually update the voter to accept it.
 - Q. So the purpose of that was to update their



1 database or just to evaluate the ABBM in front of them? 2. Α. Well, they have evaluated the ABBM. 3 this case the carrier envelope found it to be detective 4 because of missing or incorrect number. The voter has 5 corrected that through the ballot tracker. We were sending that correction information both through TEAM 6 7 as well as manually. So those corrections would not change TEAM, 8 Ο. 9 they would only change consideration of ABBM? 10 Α. That's correct. Would changing the residence address issue, 11 Ο. 12 as you have described it, require legislative action? 13 Yes. Α. 14 0. Any other changes or potential changes to 15 the ballot tracker that you testified on in the past 16 two months? 17 Α. No. 18 I'm going to hand you SOS 7. Ο. 19 (WHEREUPON, a certain document was 20 marked Deposition Exhibit No. 7, for identification, as of 3/28/23.) 21 22 BY MR. STEWART: 23 Just for the record I will say this is Ο. 24 document State 118032. 25 Α. Okay.



BY MR. STEWART:

2.

Q. Fair enough. But you know it's tough to see the way it's printed, but you can see, "Welcome Jason Hole," then whatever information, current address. This does appear to be the logged in version of the tracker, correct?

- A. I agree with that.
- Q. If the voter has an active mail ballot, would you expect to see information about that mail ballot in the tracker?
 - A. Yes.
- Q. Who is responsible for entering information about the rejected ballot into the tracker?
 - A. Tarrant County in this case.
- Q. How do they enter information into the tracker as in is there a portal on their end through TEAM? How does that information flow into the tracker?
- A. There is a couple ways they should be able to enter the information into their off-line system or they should be able to enter it directly into TEAM.
- Q. Looking at the most recent email on the chain. Those are the ones back on the page that ends in 32 on the Bates stamp. That appears to be a response from the Secretary of State's Office, correct?
 - A. Agreed.



1 because you have logged in successfully in the tracker,

you don't see anything to fix. So that's Tarrant

3 | County's problem.

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BY MR. STEWART:

- Q. So in the instance where let's say tracker information is not appearing or populating for a known mail ballot, the county should be entering that information?
 - A. Absolutely.
- 10 Q. A voter with an issue should be contacting 11 the county?
 - A. Yes.
 - Q. Are there circumstances where a voter should be contacting the Secretary of State for ballot tracker issues?
 - A. They will call us if they are having trouble accessing it.
 - Q. So is it correct to say then the Secretary of State's Office manages the access portion of the ballot tracker and the county is manage the individual ballot information portion?
 - A. The substance of information --
- MS. HUNKER: Objection, form.
- 24 BY THE WITNESS:
 - A. -- within the tracker is contributed by the



1	counties.		
2	BY MR. STEWART:		
3	Q. But the counties don't have any control		
4	over the access portion, correct?		
5	A. That's correct.		
6	Q. To your knowledge, did any other voters		
7	identify a similar issue such as this where they are		
8	able to access the tracker but information wasn't		
9	populating in the tracker?		
10	A. Not in the general.		
11	Q. Not in the general. Did that happen in the		
12	primary?		
13	A. In the primary, yes.		
14	Q. Did you identify the route cause of that		
15	issue in the primary?		
16	A. It's because the VOTEC system wasn't		
17	mapping to the TEAM system properly. The general is		
18	just because the county didn't enter the information.		
19	Q. Let's look at SOS 8.		
20	(WHEREUPON, a certain document was		
21	marked Deposition Exhibit No. 8,		
22	for identification, as of 3/28/23.)		
23	BY MR. STEWART:		
24	Q. We're back in Tarrant County. Would you		
25	agree this chain appears to reflect a communication		



BY THE WITNESS:

A. I mean we don't know. I mean some voters can drive it in as easily as they can mail it, but there is a reason why people vote by mail. Generally it's because they are not as mobile. So to increase the odds of them curing we need to have a mail back form.

BY MS. PERALES:

- Q. Texas vote by mail eligibility involves being for the most part either over age 65 or physically disabled, is that correct -- or disabled in some way?
 - A. Agreed.
- Q. So you had listed basically four things, the 2026 effective date provision, and then the three things you just talked to me about now. Have you had any discussions with members of the legislator or legislative staff about amending any of the provisions in SB 1 that are the subject of this lawsuit?
 - A. No.
- Q. So then I won't have to ask it for each individual provision.

Let's look at --

A. Oh, we did talk to one senator's office about possible changes to poll watchers.



1		CHANGES AND SIGNATURE	
2	KEITH INGRAM		
3	March 28, 2023		
4	PAGE/LINE	CHANGE	REASON
5			
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9			
LO			
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1	I, KEITH INGRAM, have read the foregoing	
2	deposition and hereby affix my signature that the same	
3	is true and correct, except as noted on the previous	
4	page.	
5		
6		
7	KEITH INGRAM	
8	THE STATE OF)	
9	COUNTY OF)	
10	Before me,, on this day	
11	personally appeared KEITH INGRAM, known to me (or	
12	proved to me under oath or through)	
13	(description of identity card or other document) to be	
14	the person whose name is subscribed to the foregoing	
15	instrument and acknowledged to me that he executed the	
16	same for the purposes and consideration therein	
17	expressed.	
18	Given under my hand and seal of office this	
19	day of, 20	
20		
21		
22	NOTARY PUBLIC IN AND FOR	
23	THE STATE OF	
24	COMMISSION EXPIRES:	
25		



1 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS 2 SAN ANTONIO DIVISION LA UNION DEL PUEBLO ENTERO, 3 et al., Plaintiffs,)Civil Action No. 4 vs. STATE OF TEXAS, et al.,)5:21-cv-844(XR)Defendants. 5)(Consolidated Cases) 6 7 REPORTER'S CERTIFICATION ORAL DEPOSITION OF KEITH INGRAM 8 March 28, 2023 9 10 I, Dana Shapiro, a Certified Shorthand Reporter, 11 hereby certify to the following: That the witness, KEITH INGRAM, was duly sworn by 12 13 the officer and that the transcript of the oral 14 deposition is a true record of the testimony given by 15 the witness; I further certify that pursuant to FRCP Rule 16 17 30(e)(1) that the signature of the deponent: 18 was requested by the deponent or a party before the 19 completion of the deposition and that the signature is 20 to be before any notary public and returned within 30 21 days from date of receipt of the transcript. 22 returned, the attached Changes and Signature Pages 23 contain any changes and reasons therefore; 24 I further certify that I am neither counsel for, 25 related to, nor employed by any of the parties or



attorneys in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action. Certified to by me this April 10, 2023. Dana Shapiro Dana Shapiro Illinois CSR 84-3597 Expiration: 5/31/23 Magna Legal Services Firm Registration No. 633 1635 Market Street 8th Floor Philadelphia, PA 19103



COUNTY OF TRAVIS)		
STATE OF TEXAS)		
I hereby certify that the witness was notified on		
, that the witness has 30 days		
after being notified by the officer that the transcript		
is available for review by the witness and if there are		
changes in the form or substance to be made, then the		
witness shall sign a statement reciting such changes		
and the reasons given by the witness for making them;		
That the witness' signature was/was not returned		
as of		
Subscribed and sworn to on this day of		
, 20		
Dana Shapiro		
Illinois CSR 84-3597 Expiration: 5/31/23		
Magna Legal Services Firm Registration No. 633		
1635 Market Street 8th Floor		
Philadelphia, PA 19103		



Exhibit 11

1	IN THE UNITED STATES DISTRICT COURT		
2	FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION		
3	LA UNION DEL PUEBLO)		
4	ENTERO, ET AL.,) Plaintiffs,)		
5	VS.) CIVIL ACTION NO.) 5:21-CV-844 (XR)		
6	STATE OF TEXAS, ET AL.,) Defendants.)		
7			
8			
9	ORAL DEPOSITION OF		
10	SAMUEL TAYLOR		
11	MARCH 29, 2023		
12	MARCH 29, 2023		
13			
14			
15			
16			
17	ORAL DEPOSITION OF SAMUEL TAYLOR,		
18	produced as a witness at the instance of the Defendants,		
19	and duly sworn, was taken in the above-styled and		
20	numbered cause on the 29th day of March, 2023, from		
21	12:34 p.m. to 3:01 p.m., before JAZZMEN CANALES, CSR, in		
22	and for the State of Texas, reported by machine		
23	shorthand at 209 West 14th Street, Austin, Texas 78701,		
24	pursuant to the Rules of Civil Procedure and the		
25	provisions stated on the record or attached hereto.		



1	APPEARANCES
2	FOR THE PLAINTIFFS:
3	MS. NINA PERALES MALDEF
4	110 Broadway, Suite 300 San Antonio, Texas 78205
5	210-224-5476 E-mail: nperales@maldef.org
6	FOR THE HOUSTON AREA URBAN LEAGUE PLAINTIFFS:
7	MR. VICTOR GENECIN (Via Videoconference)
8	NAACP Legal Defense and Educational Fund, Inc. 40 Rector Street, 5th Floor
9	New York, New York 10006 929-388-9246
10	E-mail: vgenecin@naacpldf.org
11	FOR THE DEFENDANTS:
12	MS. KATHLEEN HUNKER MR. ETHAN SZUMANSKI
13	MR. ADAM BITTER Office of the Attorney General of Texas
14	P.O. Box 12548 Austin, Texas 78711
15	512-936-2275 E-mail: kathleen.hunker@oag.texas.gov
16	FOR THE UNITED STATES:
17	MR. MICHAEL STEWART
18	MR. DANIEL FREEMAN MR. RICHARD DELLHEIM
19	U.S. Department of Justice 950 Pennsylvania Avenue NW
20	Washington, D.C. 20530 202-307-2767
21	E-mail: michael.stewart3@usdoj.gov
22	
23	
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particular budget line item. So, yeah, I couldn't -- I
couldn't break it down because it is all part of the
content development line item of the budget.

- Q. And so looking at the different forms of content starting with TV.
 - A. Uh-huh.
- Q. Were there -- TV, I assume they were commercials?
 - A. Yes.

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- Q. Were there commercials that focused specifically only on the mail ballot ID requirement?
- A. The commercials encompassed both ID requirements, both the in-person and the mail ballot voter ID requirements.
- Q. Were those separate commercials or one commercial that encompassed it?
- A. It would be one commercial. It was a 30-second TV commercial, one in English and one in Spanish. And both of those commercials addressed both the in-person voter ID requirement that there were seven forms of ID that you could use and there were alternates -- alternative options if you didn't possess and couldn't reasonably obtain one. And then if you're eligible to vote by mail, that you need to provide a number. And it gave the four -- essentially four different types of ID



Page 29

numbers, and it showed pictures of them, where you need to write one of those numbers on your application and your carrier envelope.

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And those four different types of ID numbers were your Texas driver's license number, your state ID number, your election identification certificate number, or the last four digits of your Social Security number. And the -- the commercial visually showed those four different types of ID numbers so that the voters who were eligible to vote by mail and were considering voting by mail knew that they had to provide a number to identify themselves with voting by mail.

- Q. Were there any specific geographic media markets that were the focus of the TV campaign?
- A. There wasn't any specific geographic markets that were focused on the -- we placed TV advertisements in all Texas markets and as well as radio advertisements as well. So it's a state-wide campaign. We can't pick and choose favorites. We have to -- we have to make sure that all TV markets in the state of Texas were covered.
- Q. Do you know whether the spending was about the same across geographic media markets?

MS. HUNKER: Objection. Form.



Q. So just to be clear, is there any specifically directed toward counties?

- A. No. That 3.5 million is -- is all appropriated to our office.
- Q. Did any counties get in touch with you about their own voter education efforts?
 - A. Did they proactively reach out to me?
 - Q. Right.

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A. No. We heard about, you know, through news articles or through media or word of mouth that counties were doing their own versions of education campaigns to varying degrees. But I didn't really have a knowledge of what counties were doing at the local level, certainly not earlier in the year. Later, we did make available those -- in those printout pamphlets, educational pamphlets in English and Spanish, we made those available for free for counties so that they -- as part of the collateral, which is part of the budget, of this voter education campaign.

They print out physical materials to send to these community events across the state. We call it the state-wide Texas grassroots tour. And it would be at community events, county fairs, senior expos, concerts, cultural events, you know, farmers market, flea markets, all these kinds of different events across



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the state. And we needed, you know, physical handouts to hand out to people, one of which was a front and back English and Spanish guide on the in-person voter ID requirements. And then another one was both an English and Spanish pamphlet on the vote by mail ID requirements, including all the information needed to know about which ID numbers to provide on those -- on those materials as well as where they can go track their ballot and drove them to votetexas.gov to -- to get more information.

But as part of that collateral development and actually printing those materials, I made sure and I asked our vendor specifically, please order an extra stock so that if counties would like some additional educational materials for them to give to their voters or to have handy if voters have questions, that we can give those materials, physical materials, to county election offices to the extent that they request them. And we -- I remember sending, or at least asking our elections division, which they did, to send an e-mail out to all county election officials saying, hey, we got these materials available, please let us know if you want any. And a lot of the counties took us up on this. A lot of the counties ordered those pamphlets for vote by mail in English and Spanish, and we sent them in bulk



free copies of those so that they could distribute those to voters who had questions or just make them available at any community events or voter registration drives or other kinds of events that they were doing.

2.

So that was a way to sort of supplement the grassroots activities that we were doing on our campaign. But making those available to the local county officials was one way that we worked with them. But as far as their money that was appropriated for their own appropriations campaigns, I don't know anything about what the counties did. I just know what we made available to them.

- Q. Besides the printouts and materials that you just described, were there any other materials that the SOS, you know, provided or made available to the counties?
 - A. As far as educational materials?
 - Q. Educational materials, correct.
- A. I think -- I think those were the only ones that we made available to them. Of course, the digital materials, we -- we had digital versions of all these pamphlets, and, you know, made those available to them to put on their websites. Those were the only physical materials that we made available to them. But, of course, we also -- similar mass e-mail out to counties



1	CHANGES AND SIGNATURE		
2	PAGE/LINE	CHANGE	REASON
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1	I, SAMUEL TAYLOR, have read the foregoing deposition and hereby affix my signature that same is		
2	true and correct, except as noted above.		
3	SAMUEL TAYLOR		
4	SAMUEL TAILOR		
5			
6			
7	THE STATE OF TEXAS)		
8	COUNTY OF)		
9	Before me,, on		
10	this day personally appeared SAMUEL TAYLOR, known to me (or proved to me under oath or through		
11) (description of identity card or other document) to be the person whose name is		
12	subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and		
13	consideration therein expressed.		
14	Given under my hand and seal of office this day of, 2023.		
15			
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21	NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS		
22	MY COMMISSION EXPIRES:		
23			
24			
25			



1	IN THE UNITED STATES DISTRICT COURT		
2	FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION		
3	LA UNION DEL PUEBLO)		
4	ENTERO, ET AL.,) Plaintiffs,)		
5	VS.) CIVIL ACTION NO.) 5:21-CV-844 (XR)		
6	STATE OF TEXAS, ET AL.,) Defendants.)		
7			
8	REPORTER'S CERTIFICATION ORAL DEPOSITION OF		
9	SAMUEL TAYLOR MARCH 29, 2023		
10			
11	I, JAZZMEN CANALES, Certified Shorthand Reporter in and for the State of Texas, hereby certify		
12	to the following:		
13	That the witness, SAMUEL TAYLOR, was duly sworn by the officer and that the transcript of the oral		
14 15	deposition is a true record of the testimony given by the witness;		
16	I further certify that pursuant to FRCP Rule 30(f)(1) that the signature of the deponent		
17	X was requested by the deponent or a party before the completion of the deposition and returned		
18	within 30 days from date of receipt of the transcript. If returned, the attached Changes and Signature Page		
19	contains changes and the reasons therefor;		
20	was not requested by the deponent or a party before the completion of the deposition.		
21	I further certify that I am neither		
22	attorney nor counsel for, related to, nor employed by		
23	any of the parties to the action in which this testimony was taken.		
24	Further, I am not a relative or employee		
25	of any attorney of record in this cause, nor do I have a financial interest in the action.		



1	Subscribed and sworn to on this day of, 2023.	
2	. 2023.	
3		
4	TOTAL STATE OF THE PARTY OF THE	
5		
6	Jan-	
7	JAZZMEN C. CANALES, Texas CSR 9344	
8	Expiration Date: 04/30/2025 MAGNA LEGAL SERVICES	
9	Firm Registration No. 633 1635 Market Street	
LO	Suite 800 Philadelphia, Pennsylvania 19103	
11	Telephone: 866-624-6621 Facsimile: 215-207-9462	
12	TAGSTMITE ZIS ZOT JIGZ	
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Exhibit 12

Transcript of the Testimony of Isabel Longoria

Date:

April 20, 2022

Case:

LA UNION DEL PUEBLO ENTERO V. GREGORY W. ABBOTT

Isabel Longoria April 20, 2022

1	IN THE UNITED STATES DISTRICT COURT		
2	WESTERN DISTRICT OF TEXAS		
3	SAN ANTONIO D	DIVISION	
4			
5	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * *	
6	LA UNION DEL PUEBLO ENTERO, et al *		
7	v. *	CASE NO. 5:21-cv-844-XR	
8	GREGORY W. ABBOTT, et al *		
9	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * *	
10	OCA-GREATER HOUSTON, et al *		
11	v. *	CASE NO. 1:21-cv-780-XR	
12	JOHN SCOTT, et al *		
13	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * *	
14	HOUSTON JUSTICE, et al *		
15	v. *	CASE NO. 5:21-cv-848-XR	
16	GREGORY WAYNE ABBOTT, et al *		
17	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * *	
18	LULAC TEXAS, et al *		
19	v. *	CASE NO. 1:21-cv-0786-XR	
20	JOHN SCOTT, et al *		
21	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * *	
22	MI FAMILIA VOTA, et al *		
23	v. *	CASE NO. 5:21-cv-0920-XR	
24	GREG ABBOTT, et al *		
25	* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * *	

1 UNITED STATES OF AMERICA 2 v. CASE NO. 5:21-cv-1085-XR 3 THE STATE OF TEXAS, et al 5 6 ORAL AND VIDEOTAPED DEPOSITION OF ISABEL LONGORIA 8 APRIL 20, 2022 9 VOLUME 1 OF 2 10 Oral and videotaped deposition of Isabel Longoria, 11 12 produced as a witness at the instance of the plaintiffs, and duly 13 sworn, was taken in the above-styled and numbered cause on April 14 20, 2022, from 2:45 p.m. to 4:56 p.m., before Terrie Doyle 15 Escobar, CSR in and for the State of Texas, reported by oral 16 stenography, at the Office of the Texas Attorney General, Consumer Protection Division, Houston Regional Office, 808 Travis 17 18 Street, Suite 1520, Houston, Texas 77002, pursuant to Rule 30 of the Federal Rules of Civil Procedure. 19 20 21 APPEARANCES: 22 23 FOR THE PLAINTIFFS: 24 MR. KENNETH E. BROUGHTON 25 REED SMITH, LLP

1 811 MAIN STREET, SUITE 1700 2 HOUSTON, TEXAS 77002 3 PHONE: 713-806-8434 4 EMAIL: kbroughton@reedsmith.com 5 FOR STATE DEFENDANTS: 6 7 MR. WILLIAM T. THOMPSON 8 OFFICE OF THE ATTORNEY GENERAL 9 DEPUTY CHIEF, SPECIAL LITIGATION UNIT 10 POST OFFICE BOX 12548 11 AUSTIN, TEXAS 78711 12 PHONE: 512-936-2567 13 EMAIL: will.thompson@oaq.texas.gov 14 15 FOR DEFENDANT ISABEL LONGORIA: 16 MS. CHRISTINA BEELER 17 MR. JONATHAN FOMBONNE 18 OFFICE OF THE HARRIS COUNTY ATTORNEY 19 1019 CONGRESS PLAZA, 15TH FLOOR 20 HOUSTON, TEXAS 77002 21 PHONE: 713-274-5101 22 EMAIL: Jonathan.Fombonne@cao.hctx.net 23 24 FOR DEFENDANT YVONNE RAMON: 25 MS. JOSEPHINE RAMIREZ SOLIS (Present via Zoom)

1 OFFICE OF CRIMINAL DISTRICT ATTORNEY - HIDALGO COUNTY, TEXAS 2 CHIEF, CIVIL DIVISION 3 100 E. CANO EDINBURG, TEXAS 78539 PHONE: 956-292-7609 5 EMAIL: josephine.ramirez@da.co.hidalgo.tx.us 6 7 FOR PLAINTIFFS LULAC TEXAS and VOTO LATINO: 8 9 MR. MIKE JONES (Present via Zoom) 10 ELIAS LAW GROUP, LLP 10 G ST. NE, STE. 600 11 WASHINGTON, D.C. 20002 12 13 PHONE: 202-985-1752 14 EMAIL: mjones@elias.law 15 16 FOR PLAINTIFF UNITED STATES OF AMERICA: 17 MR. L. BRADY BENDER (Present via Zoom) 18 UNITED STATES DEPARTMENT OF JUSTICE 19 CIVIL RIGHTS DIVISION, VOTING SECTION PHONE: 202-353-5373 20 21 EMAIL: laura.bender@usdoj.gov 22 23 ALSO PRESENT: 24 MR. TERRY HARRISON, VIDEOGRAPHER 25

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21	
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23	AND KEITH INGRAM
24	
25	EXHIBIT LONGORIA 14: HOUSTON PUBLIC MEDIA ARTICLE 56

1 PROCEEDINGS 2 THE VIDEOGRAPHER: Good afternoon. Today is Wednesday, April 20, 2022. We're on the record. The time is 3 2:45. Would counsel present state appearances, please. MR. BROUGHTON: Kenneth Broughton, the firm of 5 Reed Smith, for the -- all plaintiffs. 6 7 MS. BEELER: Christina Beeler for the Harris County Attorney's Office for defendant Isabel Longoria. MR. FOMBONNE: Jonathan Fombonne, Harris County 10 Attorney's Office, also for Ms. Longoria. MR. THOMSON: Will Thompson, Texas Attorney 11 12 General's Office representing the State defendants. 13 Isabel Longoria, having been first duly sworn, testified as follows: 14 15 DIRECT EXAMINATION 16 BY MR. BROUGHTON: 17 Ms. Longoria, as I've said, my name is Kenneth 18 Broughton, and I represent -- and I'll tell you exactly who: 19 here on behalf, really, I think of all of the various plaintiffs in these various lawsuits. My specific clients are Houston 20 Justice, Houston Area Urban League, Delta Sigma Theta Sorority 21 Inc., The Arc of Texas, and Jeffrey Lamar Clements. Okay? 2.2 23 So again, you know, anytime anybody needs a break, if you'll just say so. You've done a great job earlier today about 24 25 asking for rewording or repeating a question. So don't hesitate.

information is hidden under that flap. Voters don't see that
there's a space under the flap, don't know to include the
information under the flap, think that because they've included
that information on their application, they don't need to do it
on the carrier envelope, and so you have missing ID numbers for
that purpose. And then that could be sent -- either sent back to
you if you get a mail ballot back. Voters have expressed
frustrations at having to correct their mail ballots and having
to go through that process and some have not returned their mail
ballots because of that.

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Let's keep moving forward. So you've gone through all of that process, again, assuming that the information in your voter file is correct and matched up to your card, it requires more time from our early voting ballot board and more resources from our voter registration and mail ballot teams to research someone's voter file to match those numbers; and then for the early vote ballot board, to make those determinations if the numbers match and then if the signatures match; further complicated by the fact that if you are lacking a signature but have an ID number that is correct, you by law can presume that that mail ballot can be accepted, but even then it's a bit ambiguous for the early voting ballot board, as I understand, on when and how that should be applied.

Then assuming you don't match numbers, you have six days in the cure period to then come in person or return by mail

your mail ballot. But if you can't come in person and if you
can't return it by mail to cure your mail ballot, then you are
effectively kind of out of options to cure your mail ballot even
though you have the correct number, even though you could cure
it. So ultimately leading to about 20 percent of mail ballots in
Harris County that were rejected by the early voting ballot board

I'm happy to repeat any of that for the reporter.

Q. (Laughs.)

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A. I know that was quite a lengthy --

because of lack of ID or ID curing issue.

- Q. I have a question back to people being able to go online and cure and things like that. Has your office experienced very many people who for whatever reason don't have a computer or are not computer literate or that sort of thing?
 - A. Yes.
- O. Tell us about that.
- A. It tends to be older voters or voters without means who more likely than not don't have access to a printer. So they might have access to the internet on their phone or get access to internet through a community center or other means or may even request that we print and send to them a mail ballot application. But if you don't have a printer, then your option is to, you know, call us or hope that another application has gotten to you in some form.

And then postage, individuals may not be aware or be

Isabel Longoria April 20, 2022

Page 45

- 1 able to go out and purchase postage to send back their
- applications or mail ballots to our office. I will say there's a
- caveat that any election mail received by our office without 3
- postage must be accepted by the U.S. Postal Service, but not all
- voters are aware that they can send election mail in the post and
- that it'll get to our office.
- I wouldn't have known that either, just like the 0.
- buzzer. (Laughs.) Let's see here.
- Oh, and I believe -- sorry. I misspoke earlier. In
- 10 the cure process, yeah, I said in person or by mail. Yeah, those
- 11 are the items -- options for curing.
- 12 How does a voter know if their vote-by-mail application 0.
- has been accepted? 13
- Either, one, you receive a mail ballot -- so you can 14 Α.
- 15 presume that your mail ballot application has been accepted --
- 16 you can call our office, mail ballot department, to check on the
- 17 status of your mail ballot application, you can visit the Harris
- 18 County website or the Texas Secretary of State website if you're
- 19 able to access either of those websites to see the status of your
- 20 application, or you'll receive a letter, phone call, or email
- 21 from us if there for any reason is a reason -- if your
- 2.2 application was not accepted.
- 23 What are the reasons a vote-by-mail application might
- be denied? 24
- 25 Oh, boy. A vote-by-mail application can be denied for Α.

1	CHANGES AND SIGNATURE
2	
3	WITNESS NAME: Isabel Longoria
4	DATE OF DEPOSITION: April 20, 2022 (Volume 1 of 2)
5	PAGE LINE CHANGE REASON
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1	I, Isabel Longoria, have read the foregoing deposition
2	and hereby affix my signature that same is true and correct,
3	except as noted above.
4	except as noted above.
5	
6	Isabel Longoria
7	Isabel Longoria
8	
9	THE STATE OF TEXAS *
10	COUNTY OF *
11	Before me,, on this day
12	personally appeared Isabel Longoria, known to me or proved to me
13	under oath of through to be the
14	person whose name is subscribed to the foregoing instrument and
15	acknowledged to me that they executed the same for the purposes
16	and consideration therein expressed.
17	Given under my hand and seal of office this day
18	of, 2022.
19	
20	
21	
22	NOTARY PUBLIC IN AND FOR
23	THE STATE OF TEXAS
24	
25	

April 20, 2022 Page 67

Isabel Longoria

1	IN THE UNITED STATES DISTRICT COURT
2	WESTERN DISTRICT OF TEXAS
3	SAN ANTONIO DIVISION
4	
5	* * * * * * * * * * * * * * * * * * * *
6	LA UNION DEL PUEBLO ENTERO, et al *
7	v. * CASE NO. 5:21-cv-844-XR
8	GREGORY W. ABBOTT, et al *
9	* * * * * * * * * * * * * * * * * * * *
10	OCA-GREATER HOUSTON, et al *
11	v. * CASE NO. 1:21-cv-780-XR
12	JOHN SCOTT, et al *
13	* * * * * * * * * * * * * * * * * * * *
14	HOUSTON JUSTICE, et al *
15	v. * CASE NO. 5:21-cv-848-XR
16	GREGORY WAYNE ABBOTT, et al *
17	* * * * * * * * * * * * * * * * * * * *
18	LULAC TEXAS, et al *
19	v. * CASE NO. 1:21-cv-0786-XR
20	JOHN SCOTT, et al *
21	* * * * * * * * * * * * * * * * * * * *
22	MI FAMILIA VOTA, et al *
23	v. * CASE NO. 5:21-cv-0920-XR
24	GREG ABBOTT, et al *
25	* * * * * * * * * * * * * * * * * * * *

1	UNITED STATES OF AMERICA *
2	v. * CASE NO. 5:21-cv-1085-XR
3	THE STATE OF TEXAS, et al *
4	* * * * * * * * * * * * * * * * * * * *
5	
6	REPORTER'S CERTIFICATION
7	ORAL AND VIDEOTAPED DEPOSITION OF
8	ISABEL LONGORIA (VOLUME 1 OF 2)
9	APRIL 20, 2022
10	
11	I, Terrie Doyle Escobar, Certified Shorthand Reporter
12	in and for the State of Texas, hereby certify to the following:
13	That the witness, Isabel Longoria, was duly sworn by
14	the officer and that the transcript of the oral deposition is a
15	true record of the testimony given by the witness;
16	That the deposition transcript was submitted on
17	, 2022 to the witness or to the attorney
18	for the witness for examination, signature, and return to me by
19	, 2022;
20	That the amount of time used by each party at the
21	deposition is as follows:
22	Mr. Kenneth E. Broughton - 1:44 (1 hour, 44 minutes)
23	(All other parties used zero minutes.);
24	That pursuant to information given to the deposition
25	officer at the time said testimony was taken, the following

1	includes counsel for all parties of record:
2	Mr. Kenneth E. Broughton, Attorney for Plaintiffs; Mr.
3	Jonathan Fombonne and Ms. Christina Beeler, Attorneys for
4	Defendant Isabel Longoria; Mr. William T. Thompson, Attorney for
5	State Defendants; Ms. Josephine Ramirez Solis, Attorney for
6	Defendant Yvonne Ramon; Mr. Mike Jones, Attorney for Plaintiffs
7	LULAC Texas and Voto Latino; Mr. L. Brady Bender, Attorney for
8	Plaintiff United States of America;
9	I further certify that I am neither counsel for,
10	related to, nor employed by any of the parties or attorneys in
11	the action in which this proceeding was taken, and further that I
12	am not financially or otherwise interested in the outcome of the
13	action.
14	Further certification requirements pursuant to Rule 203
15	of TRCP will be certified to after they have occurred.
16	Certified to by me this 27th day of May, 2022.
17	
18	Revie D. Escolar
19	
20	TERRIE DOYLE ESCOBAR, Texas CSR #11099
21	Expiration Date: July 31, 2023
22	Firm Registration No. 11909
23	Steno Agency, Inc.
24	315 W. 9th Street, Suite 807
25	Los Angeles, California 90015

1	FURTHER CERTIFICATION UNDER RULE 203 TRCP				
2	The original deposition was/was not returned to the				
3	deposition officer on;				
4	If returned, the attached changes and signature page				
5	contains any changes and the reasons therefore;				
6	If returned, the original deposition was delivered to				
7	Mr. Kenneth E. Broughton, custodial attorney;				
8	That \$ is the deposition officer's charges to				
9	the plaintiffs for preparing the original deposition transcript				
10	and any copies of exhibits;				
11	That the deposition was delivered in accordance with				
12	Rule 203.3, and that a copy of this certificate was served on all				
13	parties shown herein on and filed with the clerk.				
14	Certified to by me this day of,				
15	2022.				
16					
17					
18					
19	TERRIE DOYLE ESCOBAR, Texas CSR #11099				
20	Expiration Date: July 31, 2023				
21	Firm Registration No. 11909				
22	Steno Agency, Inc.				
23	315 W. 9th Street, Suite 807				
24	Los Angeles, California 90015				
25	Phone: 888-707-8366				

Exhibit 13

1	IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS					
2		TONIO DIVISION				
3		_				
4	LA UNION DEL PUEBLO ENTERO, et al.,	§ §				
5	Plaintiffs,	§ §				
6	v.	<pre>§ Case No. 5:21-cv-844-XR §</pre>				
7	GREGORY W. ABBOTT, et al.,	§ §				
8	Defendants,	§ §				
		S				
9	OCA-GREATER HOUSTON, et	§ §				
10	al., Plaintiffs,	§ §				
11	v.	§ Case No. 1:21-cv-780-XR				
12	JANE NELSON, et. al.,	\sigma \s				
13	Defendants,	§ §				
14		§				
15	HOUSTON JUSTICE, et	§ §				
16	al., Plaintiffs,	§ §				
17	v.	§ Case No. 5:21-cv-848-XR				
18	GREGORY WAYNE ABBOTT,	§ §				
19	et al., Defendants,	\$ \$				
	Defendants,	§				
20		§ §				
21	LULAC Texas, et al., Plaintiffs,	§ §				
22	v.	§ § Case No. 1:21-cv-0786-XR				
23	JANE NELSON, et al.,	§ §				
24	Defendants,	§				
25		§ §				



MI FAMILIA VOTA, et 1 S S al., 2 Plaintiffs, S S S Case No. 5:21-cv-0920-XR 3 v. S GREG ABBOTT, et al., 4 S Defendants. 5 6

ORAL AND VIDEOTAPED DEPOSITION OF

JENNIFER COLVIN

MARCH 21, 2023

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ORAL AND VIDEOTAPED DEPOSITION OF JENNIFER COLVIN, produced as a witness at the instance of the Defendants and duly sworn, was taken in the above styled and numbered cause on Tuesday, March 21, 2023, from 12:20 p.m. to 3:43 p.m., before DONNA QUALLS, Notary Public in and for the State of Texas, reported by computerized stenotype machine, at the offices of Harris County Attorney's Office, 1019 Congress Street, 15th Floor, Houston, Texas, pursuant to the Federal Rules of Civil Procedure, and any provisions stated on the record or attached hereto.



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2	
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21	
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23	BRADLEY PROWANT (Via Zoom) BREANNA WILLIAMS, NAACP (Via Zoom)
24	CARRIE LEBEL (Via Zoom) GERMAINE HABELL (Via Zoom)
25	JOHN GORE, GOP (Via Zoom) JOHN SULLIVAN BAKER, DOJ (Via Zoom)



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Page 36

- 1 Q. (BY MS. HUNKER) Sure.
- 2 | A. -- asking.
 - Q. You are an offline county, correct?
 - A. Correct.

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- Q. And what is the system that y'all use?
- A. VOTEC.
- Q. Okay. And so when you receive a application for ballot by mail or a ballot, you mentioned that you check to see whether or not the number is in the voter record, correct?
- A. Correct.
- Q. And so you were looking at VOTEC -- what was it again?
 - A. VOTEC.
- Q. VOTEC. You were looking at VOTEC system to check the voter record; is that correct?
 - A. Correct.
- Q. When you were making that check like when you were looking at the record, were you noticing that fewer voters did not have a -- either a driver's license ID number or social security number?
 - MS. HOLMES: Objection --
 - A. In the voter management system.
- Q. (BY MS. HUNKER) Yes.
- MS. HOLMES: Objection to form.



Page 40

May location election; is that correct?

A. I can't agree to that one. I don't know that percentage rate.

- Q. Okay. And would you agree that Harris County made significant progress in reducing the mail ballot rejection rate between the primary and the November 2022 general election?
 - MS. HOLMES: Objection; form.
 - MS. PAIKOWSKY: Objection; form.
 - MS. HUNKER: You can --
- A. Yes.
 - Q. (BY MS. HUNKER) Was that a "yes"?
- 13 A. Yes.

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- Q. And how did Harris County work to reduce that number?
 - A. We inserted -- when we mailed out application requests that voters called in -- request that application, we sent out a flyer with it making sure they knew they needed to include the new law requirements for the ID. We also did the same with the ballot.
 - Q. And did you notice that if your efforts resonated with voters?
- MS. HOLMES: Objection to form.
- MS. HUNKER: Let me rephrase.



Page 41

Q. (BY MS. HUNKER) Did you observe whether your efforts at informing voters about the ID requirement clarified any confusion that the voters may have had about the requirement?

MS. PAIKOWSKY: Objection to form.

- A. I believe it did.
- Q. (BY MS. HUNKER) And you can put this aside. Going to introduce Exhibit No. 13.

(Exhibit No. 13 was marked.)

- Q. (BY MS. HUNKER) Do you have the exhibit in front of you?
 - A. I do.
 - Q. And do you recognize this exhibit?
 - A. I do.

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- 15 Q. And what is it?
 - A. It's the insert for the ballot.
 - Q. Okay. And just for clarification of the record, you'll see at the bottom there are Bates numbers that say TATUM_005338.

Did I read that correctly?

- A. Yes.
- Q. And so this is the insert that you put into your balloting materials to inform voter of the ID requirement; is that correct?
 - A. Correct.



Page 42

Q. Is this different than the insert that you included in the either primary elections or the runoff?

- A. It is --
- Q. And --

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- A. Similar but different.
- O. And what differences were made?
- A. We added a visual. Like the section where the -- this is the actual part of the ballot they have to fill out; so they can reference it to the envelope.
- Q. And did you get any feedback from voters about the change?
 - A. No.
- Q. And if you turn the page over, you'll notice that it is in a different language, correct?
 - A. Correct.
- Q. And I believe you included inserts in -- you had inserts for four different languages; is that right?
 - A. Correct.
- Q. And that would have been English, Spanish, Vietnamese, and Chinese; is that right?
 - A. That's correct.
 - Q. Did you provide inserts in any other language?
 - A. Other than the four?
- 24 Q. Yes.
- 25 | A. No.



Page 45

Q. Okay. Did you...

- A. That's a different department.
- Q. Okay. Do you know if you were able to -- when you were checking the numbers, was able to access the TEAM's system, if needed?
 - A. Yes.

2.

Q. And so I had asked a couple of questions regarding accommodation for disabilities with the last witness, but she had mentioned she thought you would be a better person with respect to the vote by mail. And so I'm going to ask these questions. If you do not know the answer, just state so.

You are aware --

- A. Oh --
- Q. -- voters with disabilities have the option of requesting an accommodation or change to normal voting procedures, correct?
 - A. Correct.
- Q. To your knowledge, did your office receive any requests for accommodation regarding the requirement that mail-in voters put their social security number or ID number on the application for ballot by mail?
- A. We did have some voters that couldn't come into the building. So we would take a clipboard and go out to them.



Page 48

BY MS. PAIKOWSKY:

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- Q. Good afternoon, Ms. Colvin.
- A. Hello.
- Q. My name is Dana Paikowsky. I am with the Department of Justice, and I'm going to pick up on the thread of asking you some questioning about mail voting during the November 2022 general election. So to begin, during the last deposition, the person who testified on behalf of the Harris County election officials -- or Election Administrator's Office testified that voters had difficulty with SB1's mail ballot identification requirement.

Was that still true during the November 2022 general election?

MS. HUNKER: Objection; form. Lack of foundation.

- A. Voters still did have issues as far as providing the ID. They would forget to put it on there, or they didn't feel comfortable providing it even though it was covered.
- Q. (BY MS. PAIKOWSKY) Did any voters -- strike that.
- Were any voters confused -- sorry. Strike that.
 - Do you have any reason to believe that



Page 49

voters were confused by SB1's mail ballot identification provision during the November '21 -- November 2002 general election period?

A. Yes.

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- Q. And what gave you that impression?
- A. Because they would not realize that they need to put it on there. They feel like, if they put it on their application, they didn't need to include it on the ballot or vice versa. They didn't feel like they needed to include it on both.
- Q. Did any voters have difficulty during the November 2022 general election with which ID they needed to provide on either their ABBM or carrier envelope?
 - A. Can you clarify your question?
- Q. Yes. So did any voters have difficulty either -- I'm sorry. Scratch that. Withdrawn.

So during the November 2022 general election, did any voters have difficulty complying with the identif- -- mail ballot identification requirement because they put down the wrong ID number?

- A. We did have voters put down the wrong -they -- what do you mean by wrong ID? Let me clarify
 that first.
 - Q. What do you mean by wrong ID?
 - A. Okay. Wrong ID to me means they gave us the



Page 55

them by the type of app because we have different campaign apps that come in and the reason that they've voting by mail so they can all be together.

- And what do you do next? Q.
- We get them in. We barcode them. Then we image them. And we put them in batches of 25 for the processors to process.
 - And so what happens after that?
- We look them up in the voter management system Α. to see if they qualify. We compare the IDs. sure the person -- if you can with read the signature -the signature is the person that actually is on the app. And then we enter them to receive a ballot if they're good.
- And how do you -- so -- so the first step you mentioned was you look them up in the...
 - Α. V-Max.

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- V-Max. And what is V-Max? Ο.
- Α. It's the voter management system.
- The voter management system. And so how do you 0. look up the voter in the voter management system?
- Depending on the app. Some apps come with a Α. barcode that's directly linked to the voter. If not, we look them up first name, last name, date of birth, whatever information that we need to find them in the



system.

Q. And after that, you look to see whether the identification numbers match?

- A. Yes, in the voter file.
- Q. Has the process by which your office does this intake changed -- has it changed since the March primary?
 - A. No.
- Q. So along the same lines, can you take me through how your office -- and this is a question again about the mechanical processing. I know you talked a little before about how EVBB's SV --
 - A. C.
- Q. -- Cs process ballots when they come in. At what point in the process do either the SVBs [sic] or the EVBBs look up a voter in the system?
- A. When they start verifying signatures, they'll go into the ballot board module, and they can see the voter's profile -- well, on the system itself, it shows the voters -- each. It's a list of 25 -- well, now we're up to 100 voters per batch. But it will list their ID and -- any ID that's linked to them in the system will be on their profile.
- Q. So taking a step back, how do you match a ballot to a voter in the system?



Page 57

Α. We image it. And it's linked through a barcode.

- Through a barcode. So the barcode identifies Ο. which voter the ballot belongs to and pulls up that voter's --
- The carrier envelope to be clear. Not the Α. actual ballot.
 - Correct. 0.
 - Α. Yeah.

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- So there's a barcode that corresponds Ο. between the carrier envelope and the voter itself, and that automatically pulls up the voter's file, and that allows you to compares the IDs?
- Well, that links the image to the voter's file. And then when the ballot board goes in to view them, that's where they compare the IDs.
- Does your office use the driver's license and Q. SSN for any purpose beyond determining whether the mail ballot can be accepted in light of Senate Bill 1?
 - Α. No.
- Does your office use the driver's license or social security number for any purpose beyond determining whether an absentee ballot by mail request form can be accepted in light of Senate Bill 1?
 - Α. As far as ballot by mail, no.



Page 64

bring down the rejection rate further?

A. Possibly.

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- Q. And what would those be?
- A. I -- I -- can't speak on that right off the top of my head. It would have to be something we would implement amongst our team.
- Q. Do you have any plans to take any additional steps beyond those we've already discussed?
 - A. Not at this point.
- Q. So you mentioned earlier that your office uses the form provided by the secretary of state's office as the ABBM form that you provide to voters. Does that form ask voters to provide either an ID number or a social security for?
 - A. It asks for them to provide the number, yes.
- Q. In the November 2022 general election, were there voters who had an issue with their ballot, an ID issue with their ballot, who did not provide a phone number or an e-mail address?
 - A. Yes.
- Q. How did you contact those voters to let them know of the issue?
 - A. Via mail.
- Q. Were there some voters you were not able to get in touch with?



Page 65

1 MS. HUNKER: Objection; form.

Not that I'm aware of. Everybody received a letter whether they got a phone call or an e-mail.

- (BY MS. PAIKOWSKY) In the November 2022 Ο. general election, were there voters who did not pick up the phone when they were called, again, to deliver notice that there was a ballot defect because of an ID issue?
 - Α. Yes.

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In the November 2022 general election, were there voters in your county whose mail ballot rejection notice could not be mailed until it was too late to cure an ID issue?

MS. HUNKER: Objection; form.

- Α. No.
- (BY MS. PAIKOWSKY) You mentioned earlier that Ο. there had been delay issues because of USPS during that 2022 general election. Did that have any impact on the time period that voters have to receive notice and cure ABBM and ballot defects?
- I can answer from my own opinion, but I can't Α. speak -- I mean -- the local post office told us it could take approximately ten days to deliver a local piece of mail.
 - And what impact would that have on your ability Q.



1 A. Yes.

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Q. Okay. And that states that the caller was upset due to a -- "due to carrier envelope defect letter. And she stated she put her TDL and last four of SSN on it and don't understand why it was rejected for a third time. Transferred to Desiree with VBM department for answers."

Did I read that correctly?

- A. Yes.
- Q. Were you aware of any voters who had their ballots rejected -- their ballot by mail rejected multiple times due to ID issues?
 - A. I'm aware --

MS. HUNKER: Objection; form.

- A. I'm aware of instances where we -- at the -- we would mail the ballot back to the voter because they didn't include their ID, and they would mail it back without the ID again. And that's when they would be switched to an E-7 status which allowed them the six days to cure. But we would call them and e-mail them and mail them another letter stating you still didn't provide your ID or they provide mixmatch ID. They provided one, and we didn't have it in our system.
- Q. (BY MS. HOLMES) So sometimes the rejection would happen more than once and you have to send it back



Page 91

the November 2022 election and prior elections?

- A. SB1 law changes for the ID requirements.
- Q. In the process of enforcing SB1's ID requirements in the November 2022 election, did your office identify any instances of voter fraud?
 - A. No.

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7 MS. HOLMES: Okay. I think that is all for 8 me.

MS. PAIKOWSKY: Do you want to --

MS. HOLMES: Sorry. I was going to ask to go of the record for like two minutes and then I'll probably be able to pass the witness.

THE VIDEOGRAPHER: We are going off the record at 3:15 p.m.

(Recess from 3:15 p.m. to 3:24 p.m.)

THE VIDEOGRAPHER: We're back on the record at 3:24 p.m. Sorry.

Q. (BY MS. HOLMES) All right. Ms. Colvin, I just have two more questions for you.

With respect to voters whose ABB -- ABBMs contained missing or mismatched ID numbers, is it accurate to say that your office attempted to provide every opportunity to cure if possible?

- A. Yes.
- Q. And with -- with respect to voters whose



Page 92

1 carrier envelopes contained missing or mismatched ID 2. numbers, is it accurate to say that your office 3 attempted to provide every opportunity to cure? 4 Α. Yes. 5 MS. HOLMES: That's it for me. MS. PAIKOWSKY: Do we have anybody on the 6 7 line who wants to ask any additional questions? 8 Hearing nothing --9 MS. HUNKER: Okay. 10 MS. PAIKOWSKY: Should we go off the record 11 briefly and then back on? 12 MS. HUNKER: We can to that. 13 MS. PAIKOWSKY: Yeah. Can we go off the 14 record just for one minute? 15 THE VIDEOGRAPHER: We are going off the 16 record at 3:25 p.m. 17 (Recess from 3:25 p.m. to 3:27 p.m.) 18 THE VIDEOGRAPHER: We are back on the 19 record at 3:27 p.m. 20 FURTHER EXAMINATION 21 BY MS. HUNKER: 22 All right. Ms. Colvin, I shouldn't take too 23 long, but I wanted to touch base with you on a couple of 24 questions the other counsel asked as well as the 25 document that was issued during our lunch break.



Page 99

1 you inform the secretary of state's office to update the 2 TEAM's database?

A. No.

- Q. And do you know if there's -- if there's a policy or procedure that perhaps your tech division has with respect to updating?
 - A. I don't know.
- Q. Okay. If the county database only has one number but the TEAM's database has two numbers and the number the voter put is the one that was in the TEAM's database but not the one in the county's database, you would accept that ballot; is that correct?
 - A. Correct.
- Q. There's an option for voters with disabilities as well as voters over 65 to submit an application for ballot by mail for the entire year, correct?
 - A. Correct. Annual.
- Q. And you've already started receiving annual applications for the 2023?
 - A. That's correct.
- Q. And did you notice fewer rejections for the applications that were submitted this year due to the ID mismatch or lack of ID as compared to previous elections in 2022?
 - A. I haven't analyzed that data, but we're



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1	I, JENNIFER COLVIN, have read the foregoing transcript and hereby affix my signature that same is
2	true and correct, except as noted above on the previous pages(s), and that I am signing this before a Notary
3	Public
4	JENNIFER COLVIN
5	
6	THE STATE OF) COUNTY OF)
7	COUNTY OF
8	Defens me
9	Before me, , on this day personally appeared, JENNIFER COLVIN, known to me or
10	proved to me under oath or through (description of identity card or other document), to be
11	the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the
12	same for the purposes and consideration therein expressed.
13	Given under my hand and seal of office on this, the day of , 2023.
14	aa, 02
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16	Notary Public in and for The State of Texas
17	Commission Expires:
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1	REPORTER'S CERTIFICATION
2	ORAL DEPOSITION OF JENNIFER COLVIN
3	TAKEN MARCH 21, 2023
4	
5	I, DONNA QUALLS, Shorthand Reporter and Notary
6	Public in and for the State of Texas, hereby certify to
7	the following:
8	That the witness, JENNIFER COLVIN, was duly
9	sworn by the officer and that the transcript of the oral
10	deposition is a true record of the testimony given by
11	the witness;
12	That the original deposition was delivered to
13	SAMEER S. BIRRING / KATHLEEN T. HUNKER;
14	That a copy of this certificate was served on
15	all parties and/or the witness shown herein on
16	·
17	I further certify that pursuant to FRCP No.
18	30(f)(i) that the signature of the deponent was
19	requested by the deponent or a party before the
20	completion of the deposition and that the signature is
21	to be returned within 30 days from date of receipt of
22	the transcript. If returned, the attached Changes and
23	Signature Page contains any changes and the reasons



I further certify that I am neither counsel

24

25

therefor.

for, related to, nor employed by any of the parties in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action. Certified to by me this 10th day of April, 2023. DONNA QUALLS Notary Public in and for The State of Texas My Commission expires 11/06/2026 Magna Legal Services Firm Registration No. 633 16414 San Pedro, Suite 900 San Antonio, Texas 78232 (210) 697-3400



Exhibit 14

Rachelle Obakozuwa March 21, 2023

1	IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS							
2	SAN ANTONIO DIVISION							
3	LA UNION DEL PUEBLO	;						
4	ENTERO, et al., Plaintiffs,							
5		Case No. 5:21-	GI 944 VD					
6	CDECODY II ADDOCED	}	CV-044-AR					
7	GREGORY W. ABBOTT, et al.,							
8	Defendants,							
9								
10	OCA-GREATER HOUSTON, et al.,							
11	Plaintiffs,							
12	v.	Case No. 1:21-	cv-780-XR					
13	JANE NELSON, et. al., Defendants,	}						
14		}						
15	HOUSTON JUSTICE, et	}						
16	al., Plaintiffs,	}						
17	v.	Case No. 5:21-	cv-848-XR					
18	GREGORY WAYNE ABBOTT,							
19	et al., Defendants,							
20		}						
21	LULAC Texas, et al.,	}						
22	Plaintiffs,	}						
23	v.	Case No. 1:21-	cv-0786-XR					
24	JANE NELSON, et al., Defendants,							
25	· 							



MI FAMILIA VOTA, et 1 S S al., Plaintiffs, 2 S S 8 Case No. 5:21-cv-0920-XR 3 v. S GREG ABBOTT, et al., 4 S Defendants. 5 6

ORAL AND VIDEOTAPED DEPOSITION OF

RACHELLE OBAKOZUWA

MARCH 21, 2023

ORAL AND VIDEOTAPED DEPOSITION OF RACHELLE

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OBAKOZUWA, produced as a witness at the instance of the Defendants and duly sworn, was taken in the above styled and numbered cause on Tuesday, March 21, 2023, from 3:51 p.m. to 6:44 p.m., before DONNA QUALLS, Notary Public in and for the State of Texas, reported by computerized stenotype machine, at the offices of Harris County Attorney's Office, 1019 Congress Street, 15th Floor, Houston, Texas, pursuant to the Federal Rules of Civil Procedure, and any provisions stated on the record or attached hereto.



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2	
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20	kathleen.hunker@oag.texas.gov
21	Also Present:
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23	BREANNA WILLIAMS, NAACP (Via Zoom) CARRIE LEBEL (Via Zoom)
24	GERMAINE HABELL (Via Zoom) JOHN GORE, GOP (Via Zoom)
25	JOHN GORE, GOP (VIA ZOOM) JOHN SULLIVAN BAKER, DOJ (Via Zoom)



LEIGH TOGNETTI (Via Zoom) LISA CUBRIEL, BEXAR COUNTY (Via Zoom) LUCIA ROMANO (Via Zoom) MIKE STEWART, DOJ (Via Zoom) URUJ SHEIKH, LDF (Via Zoom) REGGIE WRIGHT, THE VIDEOGRAPHER



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criminal investigations that you're asking. I mean, you're asking whether we're investigating ballot issues that are subject to potential criminal investigations. So I would just instruct her not to answer.

- Q. (BY MS. HUNKER) Are you going to take the advice of your counsel?
 - A. Yes.

2.

- Q. Okay. And then the other question, do you know when this segment of this postelection report would be updated? And when I say this section, I mean specifically the ballot paper supply issue.
 - A. No.
 - Q. Okay. Then we can put these aside.

And so the last thing I want to talk to you about is actually going to be in Exhibit 4. It'll be voter education.

- A. You said Exhibit 4?
- Q. Yeah. And so based on my reading on Exhibit 4, it sounded as if Harris County engaged in a robust public -- public awareness campaign for the November 2022 general election. Is that fair to say?
 - A. Yes.
- Q. And as part of your public information campaign, did you also communicate the ID requirements for ballots by mail?



Rachelle Obakozuwa March 21, 2023

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		Page	53

A. Yes.

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- Q. And how did you go about informing voters of these requirements?
- A. We produced videos and publications that were shared through social media, radio, television, and distribution through community groups.
- Q. And did you engage in -- did you -- like engagement events or community engagement events?
 - A. Yes.
- Q. And were discussions about the ID requirements held at these community engagement events?
 - A. Yes.
- Q. And these were held throughout Harris County, correct?
 - A. Correct.
- Q. So I see a list of organizations on pages 4, 5, and partly 6. Are these a list of organizations where you had community engagement events?
 - A. Yes.
- Q. Is this a complete list or this just a sort of sampling?
 - A. I believe this is complete list.
- Q. And did you get any feedback from voters about your outreach program?
 - A. I am not aware.



Rachelle Obakozuwa March 21, 2023

Page 54

0. Okay. And did you receive any feedback from the organizations about your community engagement events?

Α. Not that I'm aware of.

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- Okay. Did you receive any feedback from other community groups, not necessarily the ones regarding -that you held of -- the community engagement event with?
- We attempted to reach multiple community Α. groups, and so we received feedback from some that they were not available or not interested.
- And do you know if voters -- if your outreach -- let me -- let me rephrase the question.

Are you aware if voters -- strike that.

Based on any feedback you received from your public information campaign, did you find that it helped voters alleviate their confusion regarding their ID requirements?

MS. HOLMES: Objection to form.

- Α. Some.
- (BY MS. HUNKER) Can you elaborate at all? O.
- We still received ballots that are incorrectly Α. submitted without sufficient information -- the ballot by mail. So they're either not seeing the campaign or the campaign didn't address them specifically in a way that was successful.



Rachelle Obakozuwa March 21, 2023

Page 57

Q. You described some voter education efforts that your office engaged in around Senate Bill 1's identification provision. Why did you undertake those efforts?

A. There were voter questions and confusion about why their ballots weren't being counted -- or why their ballots were being rejected. I apologize. And -- and the -- there were changes that SB1 had that we knew would affect every voter who was voting by mail.

- Q. And do you anticipate needing to continue to do -- maintain these efforts in future elections?
 - A. Yes.

2.

Q. Earlier you testified that SB1 necessitated an increase in temporary and full-time staff. Why is that?

A. There are a lot of implications for SB1. With the rejection of mail ballots, there has to be more communication to voters. So it takes more bodies to create that communication to send items to the voters, and there's a higher rate of transaction. So it requires more workers.

Additionally, SB1 affected some of our staffing for election workers. And so that was one of the reasons recruitment efforts had to increase. So we had to have more staff for that. And there are more procedural-type questions and calls that we get. So our



Rachelle Obakozuwa March 21, 2023

Page 58

call center and help line had to increase staff as well.

Q. Were there increased needs in -- for resources dedicated to voter outreach and education related to implementing Senate Bill 1's identification provision?

- A. And are we specifically speaking about the period for November or prior to March?
 - Q. Let's talk about just November for the moment.
- A. We increased the quantity of voter outreach persons to go to it -- these community events to communicate about these -- the changes to SB1. Yes, for both elections.
- Q. And do you believe those increased needs are going to continue on in future elections as well?
 - A. Yes.

2.

- Q. Why is that?
- A. There's still confusion and there's still -there are still issues with person's ballots, mail
 ballots being rejected.
- Q. Did you ever have any communications with the secretary of state's office about what kind of voter education efforts your county should undertake related to SB1's identification provision?
- A. Our communications team reached out to secretary of state's office about how to engage with voters without it appearing as soliciting which would be



Rachelle Obakozuwa March 21, 2023

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Page 61

I can't think of any. For voter education, it's very broad. So I don't know that the little we've discussed is the whole realm of that. But if you're looping all voter education in one, then I cannot think of anything else.

- So earlier -- and -- and I know you had spoken Ο. to counsel about the range of voter education efforts you had engaged in related to the identification provision which included making videos, doing community Is there anything else that I'm missing in terms of buckets of efforts or -- or -- or types of outreach that you engaged in?
- In the Exhibit 4, there's reference to an Α. organization -- I think it's called KGB that we worked with to do a lot of outreach for us. And that was -that outreach was very broad. It touched every type of communication method that we know of. So that would be the only thing that I would add that there are many things that they did for us to communicate.
- Q. Could you provide a list of examples of the kinds of communications that they engaged in? doesn't have to be exhaustive but just anything we haven't discussed.
- I believe I've -- and I believe I've mentioned them all, but I know there was radio, television.



Rachelle Obakozuwa March 21, 2023

Page 62

1 | Billboards, I think was one that I didn't state. Social

- 2 | media, different platforms there, other online
- 3 | advertising -- not advertising but other online
- 4 | platforms. And that's really all that I can recall at
- 5 | this time, but I believe the majority of them are listed
- 6 | in Exhibit 4.

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- Q. Do you believe that there's anything your office could have done beyond what it did in the 2022 general election to bring down rejection rates further?
- MS. HUNKER: Objection; form.
- 11 A. No.
 - Q. (BY MS. PAIKOWSKY) Do you know approximately how much the contract with KGB cost?
 - A. No. Our office has those figures. I just didn't look.
 - Q. Thanks very much. So we have a number of questions about the team database. Is that something you work with at all?
 - A. No.
 - Q. Okay. One last question. Oh, I'm so sorry. I'm just drowning in papers here. I want to pull out exhibit -- here we go -- Exhibit 16.
 - Do you have that in front of you?
 - A. I believe this is it, but it could be a 14.
 - Q. I think that's right. So it reads at the top



1				Ι	ERRATA PAG	Ε		
2	WITNE	SS NAM	E:	RACHELLE	OBAKOZUWA	<u>.</u>	DATE:	03/21/2023
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1	I, RACHELLE OBAKOZUWA, have read the foregoing transcript and hereby affix my signature that same is
2	true and correct, except as noted above on the previous pages(s), and that I am signing this before a Notary
3	Public
4	RACHELLE OBAKOZUWA
5	
6	THE STATE OF) COUNTY OF)
7	
8	Before me, , on this day
9	personally appeared, RACHELLE OBAKOZUWA, known to me or proved to me under oath or through
10	(description of identity card or other document), to be the person whose name is subscribed to the foregoing
11 12	instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.
13	Given under my hand and seal of office on this, the
14	day of , 2023.
15	
16	Notary Public in and for The State of Texas
17	Commission Expires:
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1 REPORTER'S CERTIFICATION
ORAL DEPOSITION OF
2 RACHELLE OBAKOZUWA
TAKEN MARCH 21, 2023
3
4
5 I, DONNA OUALLS, Shorthand Repo

I, DONNA QUALLS, Shorthand Reporter and Notary
Public in and for the State of Texas, hereby certify to
the following:

That the witness, RACHELLE OBAKOZUWA, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by the witness;

That the original deposition was delivered to SAMEER S. BIRRING / KATHLEEN T. HUNKER;

That a copy of this certificate was served on all parties and/or the witness shown herein on

I further certify that pursuant to FRCP No. 30(f)(i) that the signature of the deponent was requested by the deponent or a party before the completion of the deposition and that the signature is to be returned within 30 days from date of receipt of the transcript. If returned, the attached Changes and Signature Page contains any changes and the reasons therefor.

I further certify that I am neither counsel



for, related to, nor employed by any of the parties in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action. Certified to by me this 10th day of April, 2023. DONNA QUALLS Notary Public in and for The State of Texas My Commission expires 11/06/2026 Magna Legal Services Firm Registration No. 633 16414 San Pedro, Suite 900 San Antonio, Texas 78232 (210) 697-3400



Exhibit 15

1	IN THE UNITED ST WESTERN DIS	STF	RICT (OF TE	EXAS			
2	SAN ANTONIO DIVISION							
3	LA UNIÓN DEL PUEBLO	S						
4	ENTERO, ET AL., PLAINTIFFS,	2 (2) (2)						
5	V.	Ø 69	CASE	NΟ	5:21-cv-844-XR			
6	TEXAS, ET AL.,	20 (0)	CINDL	110.	3.21 CV 011 2M			
7	DEFENDANTS.	8						
8	OCA-GREATER HOUSTON,	8						
9	ET AL., PLAINTIFFS,	Z Z						
10	V.	(2) (2) (3)	CASE	NO.	1:21-cv-0780-XR			
11	TEXAS SECRETARY OF STATE JOHN SCOTT, ET AL,	20 (2)						
12	DEFENDANTS.	8						
13	HOUSTON AREA URBAN LEAGUE, ET AL.,							
14	PLAINTIFFS,	(2) (2) (3)						
15	V.	22 (23 (2	CASE	NO.	5:21-cv-0848-XR			
16	GREGORY WAYNE ABBOTT, ET AL.,	20 E0 E						
17	DEFENDANTS.	8						
18	LULAC TEXAS, ET AL., PLAINTIFFS,	<u> </u>						
19	V.	22 (23 (2	CNCF	NO	1:21-cv-0786-XR			
20		§	CASE	110.	1.21-CV-0/00-AR			
21	JOHN SCOTT, ET AL., DEFENDANTS.	Ø						
22	MI FAMILIA VOTA, ET AL., PLAINTIFFS,	 						
23	V.	20 CO	CASE	NO	5:21-cv-0920-XR			
24		S	CASE	110.	J.ZI CV-U9ZU-AK			
25	GREG ABBOTT, ET AL., DEFENDANTS.	<u>S</u>						

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UNITED STATES OF AMERICA,
1
        PLAINTIFF,
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                            CASE NO. 5:21-cv-1085-XR
   V.
3
   THE STATE OF TEXAS,
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   ET AL.,
        DEFENDANTS.
                           S
   5
6
                ORAL 30(b)(6) DEPOSITION OF
7
            TRAVIS COUNTY CLERK REPRESENTATIVE
8
              TESTIMONY OF BRIDGETTE ESCOBEDO
9
                      MAY 11, 2022
10
                    (Reported remotely)
   11
12
13
                 ORAL DEPOSITION OF BRIDGETTE ESCOBEDO,
14
   produced as a witness at the instance of the Plaintiff
15
   OCA-Greater Houston, and duly sworn, was taken in the
16
   above-styled and numbered cause on the 11th day of
17
   May, 2022, from 10:11 a.m. to 4:27 p.m., reported
18
   remotely via Zoom, before MICHELLE CARVER, CSR, in and
   for the State of Texas, reported by oral stenograph in
19
2.0
   Travis County, Texas, pursuant to the Federal Rules of
21
   Civil Procedure, the current Emergency Order regarding
2.2
   the COVID-19 State of Disaster, and the provisions
23
   stated on the record or attached hereto.
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25
```



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24	
25	



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JOSEPHINE RAMIREZ (Appeared remotely)
LEIGH TOGNETTI (Appeared remotely)
SARAH CHEN (Appeared remotely)
ZACHARY DOLLING (Appeared remotely)
SUSAN MIZNER (Appeared remotely)



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1		EXHIBITS	
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- A. We would reject the application.
- Q. Did you let the voter know that the application had been rejected?
- A. Yes. We would send them a new -- a new application, and then we would include the Secretary of State's form to notify the voter that they had been rejected.
- Q. Did you provide anything else in that rejection to assist the voter in filling out the form correctly?
- 11 A. No.

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- Q. What forms of communication did you have with voters regarding the rejection?
 - A. We sent them something in the mail. So we communicated by mail and over the phone if we had their contact information on the application.
 - Q. You would call them on the phone?
 - A. Yes, if they provided their phone number.
- Q. Let's look at page 35, which is Section 503 on this page. Are you familiar with this provision?
 - A. Yes.
- Q. Does this provision have to do with what is required to be on the application form for an early ballot by mail?
- 25 A. Yes.



- 1 information? I understand other counties testified
- 2 | that they put a flyer in that rejection. Did Travis
- 3 | County include any additional information?
- A. Not initially. We have now but not
- 5 | initially.
- 6 Q. At what point did Travis County start
- 7 | putting in additional information?
- 8 A. Just recently.
 - Q. When you say "recently," do you mean --
- 10 A. In the last month, I believe, we got
- 11 | approval from the Secretary of State to include an
- 12 | insert.

- Q. Was that before the March 2022 primary?
- 14 A. No.
- 15 | 0. It was for the May 7th election?
- 16 A. Yes. It was our understanding we could not
- 17 | include anything additional.
- 18 Q. Who was it that advised you you could not
- 19 | include anything additional?
- 20 A. It was our understanding through the
- 21 advisories that the SOS issued.
- 22 | Q. And what was the process by which you
- 23 received approval from the Secretary of State to
- 24 | include additional information in the correspondence?
- 25 A. We sent -- I sent an -- an e-mail to the



- 1 director -- the legal director at the SOS and got 2 approval.
- Q. And did they provide that approval in writing?
- 5 A. Yes.
- 6 Q. Was that in the form of an e-mail?
- 7 A. Yes.
- Q. In the May 7th election, how many
 rejections -- well, you may not be prepared to testify
 on this; so if this is a question for someone else,
 let me know. But in the May 7th election, how many
 rejections were provided the additional information
 that was approved by the Secretary of State's Office?
- 14 A. For the application or for the ballot?
- Q. For the application.
- 16 A. Right about 11 -- approximately 11 percent.
- Q. And do you know the percentage for the ballots?
- 19 A. It's around 3 percent.
- Q. How would the voter know that their application to vote by mail was rejected?
- A. We would contact the voter via phone or hard copy mail or e-mail if they provided that address.
- Q. Let's look at page 38, which I think is the page you're probably already on --



- 1 A. Uh-huh.
- Q. -- Section 507. What is your understanding of Section 507?
- A. If the information doesn't match, we reject the application. If the information that the voter provides -- either their driver's license or the last four of their social -- if it doesn't match what's in
- 9 Q. Did Travis County develop policies on how to 10 implement this section of SB 1?
- 11 A. Travis County didn't, but the Secretary of 12 State did.
- Q. And Travis County implemented those policies?

the database, we reject the application.

15 A. Yes.

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- Q. Did Travis County have to implement any new procedures or policies as a result of 5.07?
 - A. Travis County specifically, yes.
 - Q. And what were those policies that were implemented?
 - A. The workflow having to keep track of the rejections -- the rejected applications and the accepted applications and the ballots accepted and rejected as well.
 - O. So tell me a little bit about that workflow



- 1 in terms of what was the process for a ballot that 2 came in that did not have the matching number?
- A. So if we had contact information for the voter, we would reach out and contact them via phone or e-mail. If they did not, then we would send them a letter in the mail.
 - Q. And do you know how often the voter would contact you as a result of the letter or phone call?
 - A. There were several voters that contacted us.
 - Q. Is it fair to say that not every voter you communicated with by mail or phone you were able to reach?
- MS. HUNKER: Objection. Form.
- MR. POPE: Objection. Form.
- 15 A. That's correct.
 - Q. For those voters, was the result that they did not vote?
- 18 A. Some, yes.

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- MS. HUNKER: Objection. Form.
- Q. So let's talk about the voters that you did get in touch with. When you had that contact, what was the next step in terms of the information you provided to the voter?
- A. We would tell them -- we would inform them
 that we did not have the matching number in our



- database, and we would instruct them on how to go about and cure or fix the problem.
- Q. Did voters ever have problems curing their ballots?
- 5 MR. POPE: Objection. Form.
- MS. HUNKER: Objection. Form.
- 7 A. Yes.

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- Q. What were some of the problems that they had
 9 in curing their ballots?
 - A. Some of them were not computer -- were not proficient in their computer skills. Some of them didn't understand the process or what was required of them to -- to do on their end to cure their ballot.
- Q. You mentioned that some were not computer
 literate. Was there an option for them to cure their
 ballot in person?
 - A. They could cancel their application or -- or go into a polling location and vote provisionally.
 - Q. And that would require them being able to access the polling place, either through transportation or a ride through some other --
- 22 A. Yes.
- Q. Do you know if there were voters who didn't have access to a computer or transportation to be able to cure their ballot?



1 A. Yes.

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- Q. What happened with those voters?
- A. Some of those voters just didn't vote.
- Q. You also mentioned that there were voters that didn't understand the process. Can you explain to me a little bit more about the difficulties they had in understanding the process?
 - A. They -- they didn't understand why they had to do it. We explained to them there was a new law that required this, and they just could not -- or comprehend as to why this was in effect.
 - Q. Were some of those voters not unable to cure their ballots?
 - A. Some of them were.
 - Q. Let's look at Section 508, which is on the next page, page 39. Can you tell me what this section has to do with? What does this section do?
 - A. It says that the carrier envelope has to have a plastic that covers the -- the PII or the personal identification, the driver's license, or the last four of the social. Then it says that they have to sign that they have not received a number if they haven't gotten one by DPS or Social Security.
- Q. Do you know anything about the font size of the information on the carrier envelope?



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- A. That the voter has an opportunity to correct their defect (audio distortion) their ballot.
- THE COURT REPORTER: I'm sorry. Could you repeat that? You cut out a little bit on me.
 - A. That the voter has the opportunity to correct their defect.

THE COURT REPORTER: Thank you.

- Q. What was the process by which Travis County implemented the defect correction portion?
- A. So we would reach out to the voter and -- and make contact with them and give them -- you know, help them along in the process and tell them they had to take this action in order for their ballot to count.
- Q. Can you tell me about some of the specific voters that your office spoke with who had issues correcting their ballots?

MS. HUNKER: Objection. Form.

- A. There were some. I don't -- I was not specifically on the phone with the voters, but it was told to me by my staff that, you know, elderly voters didn't -- did not want to cure or did not understand as to why they had to provide their socials or their driver's licenses.
 - Q. So is it fair to say that people had



- read it out loud: The early voting clerk is
 authorized to remove the secrecy flap on a return
 carrier envelope to facilitate the processing and
 review of voted mail ballots.
- 5 Did I read that correctly?
- 6 A. Yes.
- 7 Q. So does your office follow that procedure?
- 8 A. We do.
- 9 Q. And did you follow this procedure for the 10 March 1st primary?
- 11 A. Yes.
- Q. And did you follow it for the May 7th election?
- 14 A. Yes.
- Q. And are you intending to follow this procedure for the upcoming election?
- 17 A. Yes.
- Q. And then do you see where it says:
- 19 Returning the carrier envelope to the voter?
- 20 A. Yes.

Q. The paragraph reads: If the early voting clerk discovers that the carrier envelope is missing the voter's signature, has an incomplete signature, has missing or incomplete witness or assist

information, or has missing or incorrect personal



- 1 identification information, the early voting clerk may
 2 deliver the carrier envelope in person or by mail to
 3 the voter so that the voter may correct the defect.
 - Did I read that correctly?
- 5 A. Yes.

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- Q. My question for you is: How does Travis
 County contact the voter?
- 8 A. So if there's contact -- if we have contact 9 information, we will send them an e-mail or call them 10 on the phone or send them a form in the mail.
- Q. Okay. Now, if you notice it says the early voting clerk may deliver the carrier envelope in person then. Has Travis County done that?
- 14 A. No.
 - Q. And let's move on to the next paragraph where the sentence begins with "upon receipt." It's in the middle of the paragraph.
- 18 A. Okay.
- Q. It says: Upon the receipt of the carrier envelope, the voter may correct the defect immediately and surrender the carrier envelope to the early voting clerk personnel.
- 23 Did I read that correctly?
- 24 A. Yes.
- 25 Q. And if I remember -- understand correctly,



	EX CINION DEET OLDEO LIVIERO V. II	_/\/				'		
1	IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS							
2	SAN ANTONIO DIVISION							
3	LA UNIÓN DEL PUEBLO	<u>ت</u>						
4	ENTERO, ET AL., PLAINTIFFS,	(2) (2) (3)						
5	V.	Ø 63	CASE	NO	5:21-cv-844-XR			
6	TEXAS, ET AL.,	2 (2)	CINCL	1,0,	3 21 6V 611 III			
7	DEFENDANTS.	8						
8	OCA-GREATER HOUSTON, ET AL., PLAINTIFFS,	Ø Ø Ø						
10	V.	(2) (2) (2)	CASE	NO.	1:21-cv-0780-XR			
11 12	TEXAS SECRETARY OF STATE JOHN SCOTT, ET AL, DEFENDANTS.	20 00 00						
13	HOUSTON AREA URBAN LEAGUE,							
14	ET AL., PLAINTIFFS,	Ø 8						
15	V.	(2) (2) (3)	CASE	NO.	5:21-cv-0848-XR			
16	GREGORY WAYNE ABBOTT, ET AL.,	8						
17	DEFENDANTS.	§ 						
18	LULAC TEXAS, ET AL., PLAINTIFFS,	Ø						
19	V.	§	CASE	NO.	1:21-cv-0786-XR			
20	JOHN SCOTT, ET AL.,	Ø						
21	DEFENDANTS.	§ 						
22	MI FAMILIA VOTA, ET AL., PLAINTIFFS,	<u>S</u>						
23	V.	8	CASE	NO.	5:21-cv-0920-XR			
2425	GREG ABBOTT, ET AL., DEFENDANTS.	© © ©						

May 11, 2022

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UNITED STATES OF AMERICA,
 1
        PLAINTIFF,
 2
                               § CASE NO. 5:21-cv-1085-XR
    V.
 3
    THE STATE OF TEXAS,
                               §
 4
    ET AL.,
                               §
         DEFENDANTS.
                               8
 5
                   REPORTER'S CERTIFICATION
                  ORAL 30(b)(6) DEPOSITION OF
 6
              TRAVIS COUNTY CLERK REPRESENTATIVE
 7
                      BRIDGETTE ESCOBEDO
                         MAY 11, 2022
 8
                      (Reported remotely)
 9
                   I, MICHELLE CARVER, Certified Shorthand
    Reporter in and for the State of Texas, hereby certify
10
    to the following:
                   That the witness, BRIDGETTE ESCOBEDO,
11
    were duly sworn by the officer and that the transcript
    of the oral deposition is a true record of the
12
    testimony given by the witnessed;
13
                   I further certify that pursuant to FRCP
14
   Rule 30(b)(5) that the signature of the deponent:
15
                     ___ was requested by the deponent or a
    party before the completion of the deposition and that
    the signature is to be before any notary public and
16
    returned within 30 days from date of receipt of the
    transcript. If returned, the attached Changes and
17
    Signature Page contains any changes and the reasons
18
    therefor;
                   _X__ was not requested by the deponent
19
    or a party before the completion of the deposition.
2.0
21
                   I further certify that I am neither
    counsel for, related to, nor employed by any of the
   parties or attorneys in the action in which this
22
    proceeding was taken, and further that I am not
23
    financially or otherwise interested in the outcome of
    the action.
24
25
```



1	Sworn to by me this day of
2	, 2021.
3	
4	
5	1/4/2 200 14
6	Michael Calua
7	Market Court
8	MICHELLE CARVER, TEXAS CSR 11870 Expiration Date: 2-28-2023
9	Esquire Deposition Solutions 1700 Pacific Avenue, Suite 1000
LO	Dallas, Texas 75204 Firm Registration No. 286
11	
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1	Reference No.: 8226480
2	
3	Case: LA UNIÓN DEL PUEBLO ENTERO V. TEXAS
4	DECLARATION UNDER PENALTY OF PERJURY
5	
6	I declare under penalty of perjury that I have read the entire transcript of my Depo-
7	sition taken in the captioned matter or the same has been read to me, and the same is true and accurate, save and except for
8	changes and/or corrections, if any, as indi- cated by me on the DEPOSITION ERRATA SHEET
9	hereof, with the understanding that I offer these changes as if still under oath.
10	these changes as it still under oath.
11	
12	Bridgette Escobedo
13	
14	NOTARIZATION OF CHANGES
15	(If Required)
16	
17	Subscribed and sworn to on the day of
18	
19	, 20, before me,
20	
21	(Notary Sign)
22	
23	(Print Name) Notary Public,
24	
25	in and for the State of

1 2	Reference No.: 8226480 Case: LA UNIÓN DEL PUEBLO ENTERO V. TEXAS
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20	Reason for change:
21	Page NoLine NoChange to:
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23	Reason for change:
24	
25	SIGNATURE:DATE:Bridgette Escobedo
ן כב	BIIGGETTE ESCONEGO



1	Reference No.: 8226480 Case: LA UNIÓN DEL PUEBLO ENTERO V. TEXAS
2	Case. LA UNION DEL FUEDLO ENTERO V. TEXAS
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23	Reason for change:
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25	SIGNATURE:DATE: Bridgette Escobedo



Exhibit 16

In the Matter Of:

LA UNIÓN DEL PUEBLO ENTERO V. TEXAS

5:21-cv-844-XR

CHARLTON JOHNSON

May 11, 2022



1			ATES DISTRICT COURT
2	SAN ANTON	1IC	IO DIVISION
3	LA UNIÓN DEL PUEBLO	ק	5
4	ENTERO, ET AL.,	Ø 69	\$
5	PLAINTIFFS,	§	\$
6	V.	8	_
7	TEXAS, ET AL., DEFENDANTS.	Ø	
8	OCA-GREATER HOUSTON,	§	
9	ET AL., PLAINTIFFS,	Ø	\$
10	V.	(2) (2) (3) (4)	S CASE NO. 1:21-cv-0780-XR
11	TEXAS SECRETARY OF STATE JOHN SCOTT, ET AL,	2 (2) (2)	\$
12	DEFENDANTS.	8	
13	HOUSTON AREA URBAN LEAGUE, ET AL.,		
14	PLAINTIFFS,	2 E2 E2	\$
15	V.	(2) (2) (3)	S CASE NO. 5:21-cv-0848-XR
16	GREGORY WAYNE ABBOTT, ET AL.,	(2) (2)	Ş
17	DEFENDANTS.	8	
18	LULAC TEXAS, ET AL., PLAINTIFFS,	 	
19		ξΩ ξΩ	\$
20	V.	§	Ş
21	JOHN SCOTT, ET AL., DEFENDANTS.	§	\$
22	MI FAMILIA VOTA, ET AL., PLAINTIFFS,	<u>S</u>	
23	V.	Ø	
24	GREG ABBOTT, ET AL.,	- 63 63	\$
25	DEFENDANTS.	<u>S</u>	

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UNITED STATES OF AMERICA,
1
        PLAINTIFF,
2
                           § CASE NO. 5:21-cv-1085-XR
   V.
3
   THE STATE OF TEXAS,
                           §
4
                           §
   ET AL.,
        DEFENDANTS.
   5
6
                ORAL 30(b)(6) DEPOSITION OF
7
            TRAVIS COUNTY CLERK REPRESENTATIVE
8
               TESTIMONY OF CHARLTON JOHNSON
9
                      MAY 11, 2022
10
                    (Reported remotely)
   11
12
13
                 ORAL DEPOSITION OF CHARLTON JOHNSON,
14
   produced as a witness at the instance of the Plaintiff
   OCA-Greater Houston, and duly sworn, was taken in the
15
16
   above-styled and numbered cause on the 11th day of
17
   May, 2022, from 5:51 p.m. to 6:29 p.m., reported
   remotely via Zoom, before MICHELLE CARVER, CSR, in and
18
   for the State of Texas, reported by oral stenograph in
19
2.0
   Travis County, Texas, pursuant to the Federal Rules of
21
   Civil Procedure, the current Emergency Order regarding
2.2
   the COVID-19 State of Disaster, and the provisions
23
   stated on the record or attached hereto.
24
25
```



1	APPEARANCES
2	FOR THE PLAINTIFF OCA-GREATER HOUSTON:
3	LIA SIFUENTES DAVIS (Appeared remotely)
4	LISA SNEAD (Appeared remotely DISABILITY RIGHTS TEXAS 2222 West Braker Lane
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6	ruaviseur cx.org
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10	patrick.pope@traviscountytx.gov
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13	10 G Street NE, Suite 600 Washington, D.C. 20002
14	gwhite@elias.law
15	FOR THE STATES DEFENDANTS:
16	KATHLEEN T. HUNKER (Appeared remotely) AARON BARNES (Appeared remotely)
17	OFFICE OF THE ATTORNEY GENERAL P.O. Box 12548
18	Austin, Texas 78711 kathleen.hunker@oag.texas.gov
19	aaron.barnes@oag.texas.gov
20	FOR THE DEFENDANT THE UNITED STATES:
21	BRADY BENDER (Appeared remotely) CAMRYN PAK (Appeared remotely)
22	UNITED STATES DEPARTMENT OF JUSTICE 950 Pennsylvania Avenue NW
23	Washington, D.C. 20530 laura.bender@usdoj.gov
24	
25	



APPEARANCES CONTINUED
ALSO PRESENT:
SHIRA WAKSCHLAG (Appeared remotely)
VICTORIA FILOSO (Appeared remotely)
JOSEPHINE RAMIREZ (Appeared remotely)
LEIGH TOGNETTI (Appeared remotely)
SARAH CHEN (Appeared remotely)
ZACHARY DOLLING (Appeared remotely)
SUSAN MIZNER (Appeared remotely)



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4	CHARLTON JOHNSON	
5	Examination by Ms. Sifuentes Davis	6
6	Examination by Ms. Hunker	24
7	Reporter's Certificate	32
8	Attached to the end of the transcript: Stipulati	ons
9		
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- 1 | information that they put on their application.
- Q. And how would you review to make sure that they are a registered voter?
- 4 A. Using the Travis County voter registration 5 system.
 - Q. And what things would you check using the Travis County voter registration system?
 - A. Check their name and date of birth, locate a voter ID number, and verify that they were an active voter in Travis County.
- Q. And before SB 1, did Travis County have any problems identifying who was requesting a mail-in ballot?
- MS. HUNKER: Objection. Form.
- 15 Q. You can answer.

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- A. Typically, not depending on if the requester filled in enough information in which to determine who the voter was.
- Q. And so is it fair to say that if an application to vote by mail had lacked information, it was more likely to be rejected; is that correct?
- 22 A. That's correct.
- Q. And you said that you would then review that they are a registered voter, and then the next step would be what?



	EX CINION DEET GEBEG ENTERG V: 11	_/\/				-02
1	IN THE UNITED ST WESTERN DIS					
2	SAN ANTON					
3	LA UNIÓN DEL PUEBLO	2				
4	ENTERO, ET AL., PLAINTIFFS,	(2) (2) (3)				
5	V.	(2) (2) (3)	CACE	NO	5:21-cv-844-XR	
6		§	CASE	110.	J.21-CA-044-WK	
7	TEXAS, ET AL., DEFENDANTS.	<u>⊗</u>				
8	OCA-GREATER HOUSTON,	8				_
9	ET AL., PLAINTIFFS,	Ø 60 60				
10	V.	22 (23 (2	CASE	NO.	1:21-cv-0780-XR	
11	TEXAS SECRETARY OF STATE JOHN SCOTT, ET AL,	22 (23 (2				
12	DEFENDANTS.	8				
13	HOUSTON AREA URBAN LEAGUE, ET AL.,					
14	PLAINTIFFS,	Ø 60				
15	V.	© 0 0	CASE	NO.	5:21-cv-0848-XR	
16	GREGORY WAYNE ABBOTT,	S				
17	ET AL., DEFENDANTS.	Ø				
18	LULAC TEXAS, ET AL., PLAINTIFFS,	 				
19		22 (23 (2	CACE	NTO	1:21-cv-0786-XR	
20	V.	8	CASE	NO.	1.21-CV-0/86-AR	
21	JOHN SCOTT, ET AL., DEFENDANTS.	Ø				
22	MI FAMILIA VOTA, ET AL.,	 S				_
23	PLAINTIFFS,	Ø 60	CA CE	NTO	F.21 0000 YD	
24	V.	Ø	CASE	NO.	5:21-cv-0920-XR	
25	GREG ABBOTT, ET AL., DEFENDANTS.	Ø				
						-

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UNITED STATES OF AMERICA,
 1
         PLAINTIFF,
 2
                               § CASE NO. 5:21-cv-1085-XR
    V.
 3
    THE STATE OF TEXAS,
                               §
 4
    ET AL.,
                               §
         DEFENDANTS.
                               8
 5
                   REPORTER'S CERTIFICATION
                  ORAL 30(b)(6) DEPOSITION OF
 6
              TRAVIS COUNTY CLERK REPRESENTATIVE
 7
                       CHARLTON JOHNSON
                         MAY 11, 2022
 8
                       (Reported remotely)
 9
                   I, MICHELLE CARVER, Certified Shorthand
    Reporter in and for the State of Texas, hereby certify
10
    to the following:
11
                   That the witness, CHARLTON JOHNSON,
    were duly sworn by the officer and that the transcript
    of the oral deposition is a true record of the
12
    testimony given by the witnessed;
13
                   I further certify that pursuant to FRCP
14
   Rule 30(b)(5) that the signature of the deponent:
15
                     ___ was requested by the deponent or a
    party before the completion of the deposition and that
    the signature is to be before any notary public and
16
    returned within 30 days from date of receipt of the
    transcript. If returned, the attached Changes and
17
    Signature Page contains any changes and the reasons
18
    therefor;
                   _X__ was not requested by the deponent
19
    or a party before the completion of the deposition.
2.0
21
                   I further certify that I am neither
    counsel for, related to, nor employed by any of the
   parties or attorneys in the action in which this
22
    proceeding was taken, and further that I am not
23
    financially or otherwise interested in the outcome of
    the action.
24
25
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1	Sworn to by me this day of
2	, 2022.
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5	1/4/
6	Minula Calul
7	Marches Cur
	MICHELLE CARVER, TEXAS CSR 11870
8	Expiration Date: 2-28-2023 Esquire Deposition Solutions
9	1700 Pacific Avenue, Suite 1000 Dallas, Texas 75204
LO	Firm Registration No. 286
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1	Reference No.: 8226480
2	
3	Case: LA UNIÓN DEL PUEBLO ENTERO V. TEXAS
4	DECLARATION UNDER PENALTY OF PERJURY
5	
6	I declare under penalty of perjury that I have read the entire transcript of my Depo-
7	sition taken in the captioned matter or the same has been read to me, and the same is
8	true and accurate, save and except for changes and/or corrections, if any, as indi-cated by me on the DEPOSITION ERRATA SHEET
9	hereof, with the understanding that I offer these changes as if still under oath.
LO	these changes as it still under bath.
L1	
L2	Charlton Johnson
L3	
L4	NOTARIZATION OF CHANGES
L5	(If Required)
L6	
L7	Subscribed and sworn to on the day of
L8	
L9	, 20, before me,
20	
21	(Notary Sign)
22	
23	(Print Name) Notary Public,
24	
25	in and for the State of

1 2	Reference No.: 8226480 Case: LA UNIÓN DEL PUEBLO ENTERO V. TEXAS
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24	SIGNATURE:DATE:
25	Charlton Johnson



1 2	Reference No.: 8226480 Case: LA UNIÓN DEL PUEBLO ENTERO V. TEXAS
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23	Reason for change:
24	SIGNATURE:DATE:
25	Charlton Johnson



Exhibit 17

Dan Hayes March 29, 2023

1	IN THE UNITED STATES DIST		
2	FOR THE WESTERN DISTRICT SAN ANTONIO DIVISI		TEXAS
3	LA UNION DEL PUEBLO ENTERO, ET AL., Plaintiffs,	,) () (
4	v.		Case No.: 5:21-cv-0844-XR
5	TEXAS, ET AL.,) () (
6 7	Defendants.) (
8	OCA-GREATER HOUSTON, ET AL., Plaintiffs,) () () (
9	v.		Case No.: 1:21-cv-0780-XR
10 11	TEXAS SECRETARY OF STATE JANE NELSON, ET AL., Defendants.) () () (
12 13	HOUSTON AREA URBAN LEAGUE, ET AL., Plaintiffs,) (
14	V.	, ,	Case No.: 5:21-cv-0848-XR
15 16	GREGORY WAYNE ABBOTT, ET AL., Defendants.) (
17	LULAC TEXAS, ET AL.,) (
18	Plaintiffs, V.) () () (Case No.: 1:21-cv-0786-XR
19	JANE NELSON, ET AL.,) (
20 21	Defendants.) (
22	MI FAMILIA VOTA, ET AL., Plaintiffs,) () (
23	v.) () (Case No.: 5:21-cv-0920-XR
24 25	GREG ABBOTT, ET AL., Defendants.) () () (
			



THE UNITED STATES OF AMERICA, 1) (Plaintiff,) (2 Case No. V. 5:21-cv-1085-XR 3 STATE OF TEXAS, ET AL., 4 Defendants. 5 ORAL 30(b)(6) DEPOSITION OF 6 7 TRAVIS COUNTY CLERK'S OFFICE TESTIMONY OF DAN HAYES 8 9 March 29, 2023 10 11 12 13 ORAL DEPOSITION OF DAN HAYES, produced as a witness at the instance of the 14 Consolidated Plaintiffs, and duly sworn, was taken in 15 16 the above-styled and numbered cause on the 29th day of 17 March, 2023, from 9:04 a.m. to 10:34 a.m., before 18 STEPHANIE DAVIS, CSR, in and for the State of Texas, 19 reported by oral stenograph, at the Travis County 20 Attorney's Office, 314 West 11th Street, Fifth Floor, 21 Austin, Texas, pursuant to the Federal Rules of Civil 22 Procedure and the provisions stated on the record or attached herein. 23 24 25



1	APPEARANCES
2	FOR TEXAS CIVIL RIGHTS PROJECT:
3	ZACHARY DOLLING HANI MIRZA
4	VERONIKAH WARMS 1405 Montopolis Drive
5	Austin, Texas 78741 zachary@texascivilrightsproject.org
6	hani@texascivilrightsproject.org veronikah@texascivilrightsproject.org
7	FOR THE U.S. DEPARTMENT OF JUSTICE CIVIL RIGHTS
8	DIVISION:
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LO	950 Pennsylvania Avenue, Northwest Washington, DC 20530
L1	dana.paikowsky@usdoj.gov john.bakersullivan@usdoj.gov
L2	FOR OCA-GREATER HOUSTON, ET AL.:
L3	KENNERII DROHGHRON (Area coned Demot olar)
L4	KENNETH BROUGHTON (Appeared Remotely) REED SMITH, LLP 811 Main Street, Suite 1700
L5	Houston, Texas 77002-6110 kbroughton@reedsmith.com
L6	FOR ATTORNEY GENERAL KEN PAXTON:
L7	
L8	WILLIAM D. WASSDORF AARON BARNES
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1 FOR THE STATE OF TEXAS; GREG ABBOTT, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF TEXAS, JANE NELSON, IN HER OFFICIAL CAPACITY OF THE TEXAS SECRETARY OF STATE, 2 WARREN K. PAXTON, IN HIS OFFICIAL CAPACITY AS THE TEXAS ATTORNEY GENERAL: ALSO PRESENT: 4 LOUIS J. CAPOZZI (Appeared Remotely) 5 JONES DAY 51 Louisiana Avenue, Northwest 6 Washington, DC 20001 lcapozzi@jonesday.com 7 FOR DAN HAYES, CHARLIE JOHNSON, AND BRIDGETTE ESCABEDO, IN THEIR OFFICIAL CAPACITIES AS TRAVIS 8 COUNTY CLERKS AND DISTRICT ATTORNEY, RESPECTIVELY: 9 ANTHONY J. NELSON PATRICK T. POPE 10 TRAVIS COUNTY ASSISTANT COUNTY ATTONEY 11 314 West 11th Street, Fifth Floor Austin, Texas 78767 12 tony.nelson@traviscountytx.gov patrick.pope@traviscountytx.gov 13 FOR HIDALGO COUNTY ELECTIONS ADMINISTRATOR DELIA 14 GARZA: 15 LEIGH ANN TOGNETTI (Appeared Remotely) 16 ASSISTANT DISTRICT ATTORNEY 100 East Cano, First Floor 17 Hidalgo County Courthouse Annex III Edinburg, Texas 78539 18 leigh.tognetti@da.co.hidalgo.tx.us ALSO PRESENT: 19 20 GABE HODGE, paralegal for Mr. Nelson 21 22 23 24 25



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EXAMINATION

BY MS. PAIKOWSKY:

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Q. I'm Dana Paikowsky for the United States this morning. Thank you for taking the time to testify. I similarly just want to take a couple minutes to get a sense of whether or not you have knowledge about some things or whether someone else would be the right person. So are you involved in voter education efforts related to mail voting at all?

- A. I am.
- Q. Can you describe to me what kinds of voter education efforts your office made during the November 2022 general election?
- A. As mentioned before, we did social media posts, we provided notices -- I don't want to say "notices," that's a legal term -- but those high-viz -- neon paint, neon yellow, orange, whatever -- pieces of paper highlighting the requirements for ballot-by-mail. Also, we do post on where voting locations are, times, things like that.
- Q. So I'm specifically interested in voter education around the ID provision in mail voting.
 - A. Uh-huh.
- Q. Were there any efforts that you made to educate voters around that provision specifically?



1 A. Yes.

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- Q. And are those efforts the same as you previously described?
 - A. Yes.
- Q. In those outreach and education efforts during the November 2022 general election, did your office advise voters to provide both an ID number and an SSN four on their ABBMs or carrier envelopes?
- A. Yes.
- 10 Q. Why did you advise voters to provide both 11 the -- excuse me. Withdrawn.
- Why did you advise voters to provide both
 when the language in the statute and also of the ABBM
 carrier envelopes directs voters to put one or the
 other?
- 16 A. Would you repeat that? I had a hard time 17 hearing.
- 18 | 0. Yeah.
- 19 A. Okay.
 - Q. Why did you advise voters to put both numbers down?
 - A. Okay. Under the guidance of the SOS and the recommendation of the SOS so that voters -- it was deemed that it was completely acceptable to have both numbers, because a voter may not know which of those



Dan Hayes March 29, 2023

Page 32

- 1 | numbers is associated with their voter record; so to
- 2 | cover all bases, so to speak, we advised our voters
- 3 | who submitted an ABBM or ballot-by-mail carrier to put
- 4 | both numbers.
- Q. Do the forms that you use for an ABBM or carrier envelope also ask voters to provide both
- 7 | numbers or just one?
 - A. Which forms are you referring to?
 - Q. The ABBMs and the carrier envelopes.
- A. Okay. No, they do not -- they do not say
- 11 | both, as far as I remember.
- 12 Q. As part of your voter education efforts, did
- 13 your office include an insert with their absentee
- 14 ballot-by-mail applications explaining the ID
- 15 requirement and asking for voters to provide both
- 16 | numbers?
- 17 A. If I remember correctly, yes.
- Q. And has your office produced that insert to
- 19 | us?

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- 20 | A. I do not...
- 21 MR. NELSON: Again, I believe so. But
- 22 | if we haven't, we can supplement that.
- MS. PAIKOWSKY: Yeah, I wasn't able to
- 24 | find ballot inserts, but we'll connect with you and
- 25 check that out on the back end.



Dan Hayes March 29, 2023

that we could provide inserts, and they verified that we could notify voters that they could put both numbers, and it would be perfectly okay; so that's the feedback.

- Q. And this also is -- if you don't know this or if another designee would be better to testify about it: To your knowledge, did the Secretary of State's office recommend you develop these ballot inserts as a best practice for implementation for Senate Bill 1?
 - A. I don't remember that specifically.
- Q. Based on your experience in the 2022 general election, do you foresee a need to continue to engage in these affirmative voter education efforts related to the ID provision -- the mail ballot ID provision in future elections?
 - A. Yes.

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- Q. Why is that?
- A. Travis County, it's very important to our office to educate our voters so that their ballots may be accepted -- counted -- as appropriate. We have -- we believe in voter education and helping people vote.
- Q. Does your county have any plans to -- I'm sorry, withdrawn.

Would your ability to continue these efforts



depend on your budget in future years?

A. It does cost money, and money is always a consideration. So I -- dependent? Let's just say it's a consideration.

- Q. In the November 2022 general election, did your office hire employees or contractors in order to facilitate, support, or assist with mail voting or the implementation of the SB-1's identification requirements? And I'm also including voter education efforts in this question.
- 11 A. Would you state again the types -- the first 12 part of your question for me?
 - Q. Yeah. And I also am cognizant that there's another designee who's testifying.
 - A. Sure.

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- Q. The question is: During the November 2022 election, did your office hire employees or contractors to facilitate the mail voting process and specifically implement SB-1'S identification requirements? And as part of that, I'm asking also about affirmative voter education efforts?
 - A. Yes --

MR. NELSON: Before you -- well, I was
going to say before you answer: If, again, as was
pointed out, if it's a question that's regarding an



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1	I, DAN HAYES, have read the foregoing
2	deposition and hereby affix my signature that same is
3	true and correct, except as noted above.
4	
5	DAN HAYES
6	DAN HAIES
7	THE STATE OF TEXAS)
8	COUNTY OF TRAVIS)
9	Before me,, on
LO	this day personally appeared DAN HAYES, known to me
11	(or proved to me under oath or through
L2) (description of identity card
L3	or other document) to be the person whose name is
L4	subscribed to the foregoing instrument and
L5	acknowledged to me that they executed the same for the
L6	purposes and consideration therein expressed.
L7	
L8	Given under my hand and seal of office this
L9	, day of, 2023.
20	
21	
22	
23	
24	Notary Public in and for the State of Texas
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1
               IN THE UNITED STATES DISTRICT COURT
               FOR THE WESTERN DISTRICT OF TEXAS
 2
                       SAN ANTONIO DIVISION
 3
    LA UNION DEL PUEBLO ENTERO, ET AL.,)(
         Plaintiffs,
 4
                                           ) (
                                                Case No.:
                                                5:21-cv-0844-XR
    V.
                                            ) (
 5
    TEXAS, ET AL.,
         Defendants.
 6
 7
    OCA-GREATER HOUSTON, ET AL.,
                                           ) (
 8
         Plaintiffs,
                                            ) (
                                            ) (
 9
    V.
                                                Case No.:
                                                1:21-cv-0780-XR
    TEXAS SECRETARY OF STATE
10
                                           ) (
    JANE NELSON, ET AL.,
                                            ) (
         Defendants.
11
                                           ) (
12
    HOUSTON AREA URBAN LEAGUE, ET AL.,
                                           ) (
13
         Plaintiffs,
                                            ) (
                                           ) (
                                               Case No.:
14
    V.
                                                5:21-cv-0848-XR
                                           ) (
15
    GREGORY WAYNE ABBOTT, ET AL.,
                                           ) (
         Defendants.
16
17
    LULAC TEXAS, ET AL.,
                                           ) (
         Plaintiffs,
                                           ) (
18
                                            ) (
                                                Case No.:
    V.
                                                1:21-cv-0786-XR
                                            ) (
19
    JANE NELSON, ET AL.,
20
         Defendants.
21
    MI FAMILIA VOTA, ET AL.,
                                           ) (
22
         Plaintiffs,
                                           ) (
                                           ) (
                                                Case No.:
                                                5:21-cv-0920-XR
23
    V.
                                            ) (
                                           ) (
    GREG ABBOTT, ET AL.,
24
                                           ) (
         Defendants.
                                           ) (
25
```



1 THE UNITED STATES OF AMERICA,) (Plaintiff,) (2) (Case No. V. 5:21-cv-1085-XR 3) (STATE OF TEXAS, ET AL.,) (4 Defendants. 5 REPORTER'S CERTIFICATION ORAL 30(b)(6) DEPOSITION OF TRAVIS COUNTY CLERK'S OFFICE 6 DAN HAYES 7 March 29, 2023 I, STEPHANIE DAVIS, Certified Shorthand 8 9 Reporter in and for the State of Texas, hereby certify 10 to the following: That the witness, DAN HAYES, was duly sworn 11 12 by the officer and that the transcript of the oral 13 deposition is a true record of the testimony given by 14 the witness; I further certify that pursuant to FRCP Rule 15 16 30(f)(1) that the signature of the deponent: 17 __X_ was requested by the deponent or a party before the completion of the deposition and that 18 19 the signature is to be before any notary public and 20 returned within 30 days from the date of receipt of 21 the transcript. If returned, the attached Changes and 22 Signature Page contains any changes and the reasons therefor; 23 24 ___ was not requested by the deponent or a 25 party before the completion of the deposition.



1 I further certify that I am neither counsel 2 for, related to, nor employed by any of the parties or 3 attorneys in the action in which the proceeding was 4 taken, and further that I am not financially or 5 otherwise interested in the outcome of the action. 6 7 Certified to by me this _____ day of 8 _____, 2023 9 10 11 Hedanie Dais 12 13 STEPHANIE DAVIS, TEXAS CSR 11355 14 Expiration Date: 11-30-2023 MAGNA LEGAL SERVICES 15 Firm Registration No. 633 1635 Market Street 16 Suite 800 Philadelphia, Pennsylvania 19103 17 Telephone: 866-624-6621 Facsimile: 215-207-9462 18 19 20 21 22 23 24 25



Exhibit 18

Charlie Johnson March 29, 2023

1	IN THE UNITED STATES DIST		
2	FOR THE WESTERN DISTRICT SAN ANTONIO DIVISI		TEXAS
3	LA UNION DEL PUEBLO ENTERO, ET AL., Plaintiffs,	,) () (
4	v.) (Case No.: 5:21-cv-0844-XR
5	TEXAS, ET AL.,) (
6 7	Defendants.) (
8	OCA-GREATER HOUSTON, ET AL., Plaintiffs,) () () (
9	v.		Case No.: 1:21-cv-0780-XR
10 11	TEXAS SECRETARY OF STATE JANE NELSON, ET AL., Defendants.) () () (
12 13	HOUSTON AREA URBAN LEAGUE, ET AL., Plaintiffs,) (
14	v.	, ,	Case No.: 5:21-cv-0848-XR
15 16	GREGORY WAYNE ABBOTT, ET AL., Defendants.) (
17	LULAC TEXAS, ET AL.,) (
18	Plaintiffs, V.) () () (Case No.: 1:21-cv-0786-XR
19	JANE NELSON, ET AL.,) (
20 21	Defendants.) (
22	MI FAMILIA VOTA, ET AL., Plaintiffs,) () (
23	v.) () () (Case No.: 5:21-cv-0920-XR
24 25	GREG ABBOTT, ET AL., Defendants.) (



Charlie Johnson

March 29, 2023

Page 2

1	THE UNITED STATES OF AMERICA,)(Plaintiff,)(
2)(Case No.			
3) (
4	STATE OF TEXAS, ET AL.,)(Defendants.)(
5	***************			
6	ORAL 30(b)(6) DEPOSITION OF			
7	TRAVIS COUNTY CLERK'S OFFICE			
8	TESTIMONY OF CHARLIE JOHNSON			
9	March 29, 2023			
10	*************			
11				
12				
13	ORAL DEPOSITION OF CHARLIE			
14	JOHNSON, produced as a witness at the instance of the			
15	Consolidated Plaintiffs, and duly sworn, was taken in			
16	the above-styled and numbered cause on the 29th day of			
17	March, 2023, from 10:38 a.m. to 1:10 p.m., before			
18	STEPHANIE DAVIS, CSR, in and for the State of Texas,			
19	reported by oral stenograph, at the Travis County			
20	Attorney's Office, 314 West 11th Street, Fifth Floor,			
21	Austin, Texas, pursuant to the Federal Rules of Civil			
22	Procedure and the provisions stated on the record or			
23	attached herein.			
24				
25				



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15	LEIGH ANN TOGNETTI (Appeared Remotely)
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19	
20	ALSO PRESENT:
21	GABE HODGE, paralegal for Mr. Nelson
22	
23	
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I was hoping you could just give me, like, a broad breakdown of how that works.

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Sure. As ballots come back in, we -- what 3 Α. 4 our office, as the early voting clerk typically does, 5 is rip a slip. If you're familiar with that, there's a slip that conceals the ID of the voter. Rip those 6 7 and they are sorted by staff between ballots that have an ID of some sort and those that do not. Those that 8 do not are placed into a separate batch for expediency's sake; so when they do go to the signature 10 verification committee, they can be rejected 11 12 immediately, and we can start that cure process. 13 Others are batched with the assumption that the ID is 14 correct, and those will then be reviewed by the 15 signature verification committee as well. And they're 16 the ones that actually do the comparison between the 17 ID that's on the ballot envelope and what the voter 18 registration system has on record. If a ballot 19 envelope or ballot is rejected, we go through our --2.0 the typical steps of sending a notice by mail to the 21 voter. Every voter will get one by mail. If they 22 provide an email, we will also send a copy of that to 23 that voter. If they have a -- if they provided a 24 phone number, we will then have staff reach out by 25 phone and attempt to resolve the defect that way,



Page 15

either through pointing them through or even walking
them through the state tracker if it's curable with
that method or indicating to them the steps that would
need to be taken in order to cure those defects. And
any other defects that might be found by the early

voting ballot board, it's the same exact process.

- Q. Okay. And so you mentioned that you would -- depending on whether you had the information, you would mail a notice for everyone, email if possible, and phone if possible; is that right?
 - A. That's correct.

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- Q. And just to clarify something you said at the beginning where the EDC is taking the flap and checking to see if there is or is not a number and separating those out for expediency's sake if there is not a number, the EDC would always pass those to the SBC rather than the EDC taking action at that point, is that correct?
 - A. That is correct, yes.
 - Q. Okay.
- A. We want the signature verification clerk making that determination that those are, in fact, defective.
 - Q. Okay.
 - A. And typically that is sent to them first so



Page 16

1 they can take care of that quickly and we can get 2 moving on with our reaching out.

- Q. The notices of rejection that you would send to voters, did you use the Secretary of State's forms for that?
 - A. Yes.

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- Q. Okay. Was there any sort of cutoff in time after which you no longer attempted to provide notice and an opportunity to cure?
- A. We will provide notice up until the final date that the ballot can't be received.
- Q. And so would you agree that Travis County
 made every reasonable effort to provide notice and an
 opportunity to cure for voters whose ABBMs were
 flagged for rejection due to SB-1's ID matching
 requirements?
 - A. So you're referring to ABBM as the application.
 - O. Yes.
- A. So we're moving from the ballot to the application?
- Q. I'm sorry. Let's just stick with the ballots for now.
 - A. Okay.
 - Q. Would you agree that Travis County made



Page 17

every reasonable effort to provide notice and an opportunity to cure for voters whose mail ballots were flagged for rejection due to SB-1's ID matching requirements?

A. Yes.

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- Q. And despite these efforts, hundreds of mail ballots were ultimately rejected due to SB-1's ID matching requirements?
 - A. Over the course of 2022, yes.
 - Q. In the November '22 general election, sorry.
- A. In the November '22 election, I'm sure I provided those numbers. I don't have them on the top of my head, but if it is in the hundreds, then that sounds correct.
- Q. We'll go back over that and confirm that shortly. I guess, then, can we sort of walk through the same broad overview of the cure efforts for the ABBMs that were flagged for rejection due to the ID matching requirements?
- A. The applications, we typically get those and if it is rejected, we will send a rejection notice. We were not making phone calls with respect to the ABBMs, but they do get the state form by mail or email, if email is available. Typically, we're not calling. The time frame between the date you can



Page 18

apply for a ballot by mail is typically longer, and we typically also do not have the staff because the signature verification could be making those phone calls to cure on the ballot side. It's not something

we are currently doing for the application side.

- Q. So when the signature verification committee is meeting, you have a substantially larger number of people available to make those phone calls, and that's why you do it then?
- 10 | A. Yes.

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- Q. Okay. That all makes sense. So switching topics a little bit and going to the -- well, let's start with this: Travis County -- if I say that Travis County is an offline county, do you know what I mean by that?
 - A. Yes.
- Q. Can you tell me what you understand an offline county to be?
- A. An offline county is a county that does not use the state's voter registration system team. We use our own local program, which does have an interface with Team. That's not our main program that we use to manage our voter registration and ballots by mail. Those types of things.
 - Q. So I'm going to ask you later a few



Page 23

can then be approved -- the application can be approved, the one that was previously filed.

- Q. And so, in that instance, when you first checked and sent the rejection notice, it didn't have a number, then you get notification that they followed through with that, and then you check again and it does have a number. You've seen that happen; is that true?
- A. Yes.

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- Q. Okay. Do you know if a voter can add an identification number to their voter file through votetexas.gov?
 - A. Once again, that would be a question posed to voter registration.
 - Q. Okay. What about through corrective action forms that are supplied with notices of ballot rejections?
 - A. The corrective action form that is filed with the early voting clerk does not include a pathway to update a voter registration, if I remember.
- Q. And so that form would only successfully cure in the event that there was one -- let's break it down.
- It would only successfully cure first if a voter had mistakenly not included the number in the



first place; is that correct?

- A. On the ballot?
- Q. On the carrier envelope.
- A. Yes.

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- Q. And could it also cure a defect if there was an input or typographical error in the way the voter had input their number on the carrier envelope and then they could fix that?
 - A. Yes.
- Q. But it would not be able to cure a defect where the voter file had a different number, even if the -- let's just say hypothetically the voter had their driver's license that's current in front of them and they are inputting it perfectly onto the carrier but it doesn't match what's in the database, the correction action form could not fix that?
 - A. That's correct.
- Q. Okay. And would everything we just said about what the corrective action form can fix be the same for the -- okay. This will be too confusing. One of the things it says on the rejection form is that you can also take corrective action through rewriting the number on the carrier envelope itself, and/or, I presume, if the carrier envelope did not have the number, you could put it in and then resend



Page 25

1 it back without using the corrective action form. Is 2. that accurate to your knowledge?

- That is. In the event that the ballot is Α. returned to the voter.
- Okay. And in that case, if the voter were to do that, it would be able to correct the same issues as a corrective action form but not change their number in the voter file; is that correct?
 - Α. Correct.

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- Thank you. And do you have any idea Ο. Okay. if a voter could add a number to their local voter file through the state's online mail ballot tracker?
 - That's a question for voter registration. Α.
- Ο. Okay. And then how would Travis County verify the accuracy of an added identification number, like, through some sort of; live check process or anything like that?
 - Certainly a question for voter registration.
- And I have all the same questions about Ο. changing or updating a number versus adding a number. Would those also be questions for the voter registrar?
 - Α. Yes.
- Okay. But with respect to what you did tell me about the use of the corrective action forms or rewriting the number on the carrier envelope for



Page 26

voters to whom the carrier envelope was returned, that sort of corrective action would, to your knowledge,

3 not be able to update the voter file in addition to

4 | not being able to add a number; is that correct?

- A. Correct. You can not alter voter registration files based off of those documents.
- Q. Okay. Thank you. So I'm going to hand you something that we'll mark as Exhibit Number 3. So do you recognize this document?
- 10 | A. I do.

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- Q. And you'll see at the bottom right that there is what's called a Bates number that says 064.128584; do you see that?
- 14 A. Yes.
- Q. And that means that this was a document that was produced by Travis County in this litigation. Do you understand that?
- 18 | A. Yes.
- Q. Okay. And so I'm just going to read what's at the top. It says, "Notice of Rejected Application for Ballot by Mail;" is that correct?
 - A. Yes.
- Q. And then in the upper top left corner, just for the record, this says 6-4 prescribed by the Secretary of State, correct?



Page 27

1 A. That's correct.

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- Q. And this is an example of one of the rejection forms that Travis County would use when mailing out a notice of rejection of an ABBM, correct?
 - A. Correct.
- Q. And so this particular form is specifically for where the voter registration record does not have an identification number associated with it; is that correct?
- A. That's correct.
 - Q. And so that means that there's no number in the voter's file; is that correct? Not one of the numbers that is required by SB-1, is not in the voter's file?
 - A. Correct.
 - Q. And so there are two forms of cure that are set out on this notice. One is to submit an updated voter registration application. That's the first option; is that correct?
 - A. That's correct.
 - Q. And the second is to update your voter registration record online at texas.gov; is that correct?
- A. That is correct.
 - Q. And both of these would be for adding a



Page 28

1 | number to your voter file; is that correct?

A. That is correct.

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- Q. And at the bottom of the form in the -- I guess it's the third to last -- no, second to last paragraph, it says in bold letters, "Note: You cannot add the required personal identification numbers to your voter registration record by submitting a new application." Is that correct?
- A. That is correct.
- 10 Q. And is that your understanding of the rules 11 in the law?
 - A. Yes, that is.
 - Q. Okay. And so if somebody did submit a new -- a number on their application, but your voter file shows that there was no number associated with them, you would not add that number to their voter file; is that correct?
 - A. That is correct.
 - Q. And just as an aside, you would be able to associate the applicant with their voter file in your system even in the absence of one of these numbers; is that correct?
 - A. That is correct.
- Q. Because you would have to look up their file to see if they had a number in the first place; is



| that correct?

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- A. Yes.
- Q. Okay. And so I'm going to hand you something that's marked as Exhibit Number -- I'm going to mark as Exhibit Number 4, and I'll just give you a second to look over that.
 - A. Okay.
- Q. And so I'm just going to read this as Section 84.014, "Action by Early Voting Clerk on Certain Applications;" is that correct?
 - A. That is correct.
- Q. And so this is a section of the Texas

 Election Code that I have just read out, and I'm just
 going to read -- it's very short, so I'm just going to
 read what it says. "If an applicant provides a date
 of birth, driver's license number, or social security
 number on the applicant's application for an early
 voting ballot to be voted by mail that is different
 from or in addition to the information maintained by
 the voter registrar in accordance with Title II of the
 election code, the early voting clerk shall notify the
 voter registrar. The voter registrar shall update the
 voter's record with the information provided by the
 applicant." Was that a correct reading?
 - A. That's what it says.



Page 35

A. I do not know the specific mechanisms of how voter registration pulls those numbers in. All I know is they pull up a file and those numbers appear on the voter files for us to then compare against the application or ballot.

- Q. Okay. And just to retread what you said earlier and clarify: When checking the local database versus Team, is the procedure always to check the local database first and if there is a match, you stop there?
- 11 A. Correct.

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- Q. And you only consult Team if needed; is that correct?
- 14 A. Correct.
- Q. Okay. And then I've got one more exhibit here. I will mark this Exhibit Number 5. So I will just give you a second to look over that. Have you seen this before?
- 19 A. Yes, I have.
 - Q. And I'll just read the title, "Defendant Dyana Limon-Mercado's Objections and Responses to OCA Plaintiff's First Set of Interrogatories;" is that correct?
 - A. That is correct.
 - Q. And so -- let me see here. I'm just going



Page 41

requirement, did any voters indicate confusion with the process?

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- A. We had several phone calls. People seeking clarification on how that process would work, yes.
- Q. So I'm going to turn a little bit to the sort of mechanics of the processing of ABBMs and mail ballots. When your office receives an ABBM, how does your office look up that voter's voter file?
- A. Depends on the information that they give us. If they provide a VUID, which is the state ID, we typically look it up that way. If not, then we'll do a name and date of birth match to find the voter that matches the information on the rest of the application.
- Q. The same question for carrier envelopes. How does your office pull up a voter's file once you've received a carrier envelope?
- A. Well, the carrier envelope includes a unique identification number that is tied specifically to that voter. So it is a much, much simpler process.

 Once that is received, it can be scanned and tied immediately to that voter that it has been received before it goes onto signature verification to continue verifying all the information on it.
 - Q. And that's a bar code that's on the carrier



Page 42

1 envelope that you provide to the voter and to send 2 back to you?

A. That's correct.

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- Q. Does your office use the driver's license or social security number for any purpose beyond determining whether an ABBM or mail ballot can be accepted in light of Senate Bill 1?
- A. Other than as an additional piece of information to help research the voter to find out who the application might be for -- but it would be very rare -- no.
- Q. Is there ever an instance where -- withdrawn.

Can you think of an instance where you were unable to look up a voter based on name, birth date, and other identification -- other information on their ballot aside from a driver's license or social security number?

- A. That does happen occasionally.
- Q. Previous to Senate Bill 1, were you ever unable to look up a voter's file with the information provided on an ABBM or carrier envelope?
 - A. Yes.
- Q. Would you be able to look up -- does your county send out notices of final rejection? This is



Page 51

- 1 | workflow. What is a situation where you have a
- 2 | voter's full name, date of birth, and address you
- 3 | would need to use a driver's license or SSN to look
- 4 | them up?
- A. I wouldn't see a reason to use one of those
- 6 to look them up.
- 7 Q. So -- let's actually -- let's make this
- 8 | Exhibit 7. And this is the document that says at the
- 9 top, "Don't forget your ID numbers." Do you recognize
- 10 | this document?
- 11 A. I do.
- 12 Q. And there's two pages if you want to take a
- 13 | moment to review. So the flyer on the first page,
- 14 | would you mind telling us what that is?
- 15 A. On the first page is the insert that we
- 16 | would include and a request for an application for
- 17 | ballot by mail. It is just included in the envelope
- 18 | along with the application itself as a reminder to
- 19 | include one or the other or both IDs when returning
- 20 | the application back to our office.
- Q. And it says at the bottom, "We recommend
- 22 | providing both." Is that correct?
- 23 A. That's correct.

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- Q. And why is it you recommend providing both?
- A. Secretary of State's office has indicated



Page 52

1 that is the best practice -- to include both -- just
2 in case if the voter registration system is missing
3 one or the other. We have both in which to verify.

- Q. So the second page says, "Don't forget your ID numbers," as well. What is this document?
- A. Very similar. It is included in the ballot package that we send out along with all of the other prescribed documents, including the ballots, to remind our voters to include their IDs on their carrier envelope. One or the other or both as we recommend.
- Q. And were you involved in the development of these documents?
- 13 | A. Yes.

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- Q. Why did your office decide to develop these inserts?
 - A. We decided in the spring of 2022 we wanted to take an extra measure to educate our voters to include those numbers in an effort to reduce our rejection rate.
- 20 Q. Do you feel you were effective in lowering 21 the rejection rate?
 - A. I do.
 - Q. What is your basis for that belief?
- A. Well, it's speculation based off of gut feeling. But the rejection rates did decline, to my



Page 74

1 together because they sort of are a pair. Exhibit 8
2 reads, "Notice of Carrier Defect, Carrier Envelope
3 Returns to the Voter by mail;" is that right?

A. Yes.

2.0

- Q. And at the top left, it says, "Prescribed by the Secretary of State," and then, in parenthesis, 8-23, correct? And was this the form that Travis County used to mail notices of rejected mail ballots when time permitted the return of the carrier envelope to the voter?
 - A. That would be our form, yes.
- Q. Okay. And Exhibit 8 [sic] is a very similar form. The title is "Notice of Carrier Defect, Voter Notified of Carrier Envelope Defect by Phone or Email." In the top left, it says, "Prescribed by Secretary of State," and in parenthesis, 8-24; is that correct?
 - A. Yes, it's Exhibit 9.
- Q. Yes, Exhibit 9. And in this case, it does have a Bates number in the bottom left, 064.128072, indicating that it was produced in discovery. I just did not see an equivalent on Exhibit 8. But these are both the forms that you would use to notify a voter that their mail-in ballot had been rejected for identification number reasons, correct?



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Q. And Number 9 would be by phone or email because, based on best guesses with the speed of the U.S. Postal Service, you didn't think there was time to return the carrier envelope and get it back; is that right?

- A. That is correct.
- Q. Okay. And so if we look at Exhibit 8 and go to "Defect Correction Process by Number" in the middle and "Defect Number 4." If you want to just read that to yourself quickly.
 - A. Yes.
- Q. And then also correcting Defect Number 4 using the ballot-by-mail tracker under that.
 - A. Yes. Gotcha.
 - Q. And so these are the ways that a voter is instructed to correct an error with their ID numbers; is that correct?
 - A. That is correct.
- Q. And on this form, Exhibit 8, there are three ways to do that. You can do that through the mail ballot tracker online, you can do that through the collective action form, and you can do it on the carrier envelope itself because that had been returned to the voter, correct?



Page 87

1 not identify the voter? So setting aside the legal 2. requirement.

> MR. NELSON: Objection. Form.

It's not something I really --Α.

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MR. NELSON: I'm going to instruct, don't speculate. I mean, if you know or have an answer, then you can answer. But don't speculate.

- I am not qualified philosophically to answer that question.
- So next I want to turn to the voter Ο. lookup function for carrier envelopes. Is an SSN or ID that's provided on the envelope ever necessary to match the voter file to the carrier envelope?
- Very rarely because of the bar code that I mentioned earlier. That is typically what we use to link the carrier envelope to the voter profile.
- What would be a circumstance where you would Q. need to use an SSN or ID to match a voter file to the carrier envelope?
- It's a possibility for an FBC voter -- it's a Texas term for the -- you call the voters for the folks that are get their ballot electronically. They will mail them using their own envelope. possible, assuming that their SSN is available for us to see without having to open it up. Then we might



Page 88

- 1 have to use that because there's no bar code.
- 2. Theoretically, that could happen, but that would be 3 very rare.
- 4 And FBC voter's carrier envelope, do they Q.
- They do. 6 Α.

also provide their name and...

- 7 Could you use their name to look up the 8 voter?
- 9 Yes. Α.

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- Would it surprise you to know that an expert Ο. witness retained by the United States found that some mail voters in your county had their ballots rejected by no fault of their own, but because of database issues?
- What kind of database issues? 15 Α.
- 16 Issues in Team. 0.
- 17 It's possible. I think we spoke earlier Α. about human error, yes, that is certainly possible. 18 Ι 19 would not be surprised.
- 2.0 No further questions from the United States. 0.

FURTHER EXAMINATION

- 2.2 BY MR. WASSDORF:
- 23 A moment ago, when you were speaking with 24 Mr. Dolling, he made a point of the carrier envelope 25 and the instructions to first provide a driver's



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1	I, CHARLIE JOHNSON, have read the foregoing
2	deposition and hereby affix my signature that same is
3	true and correct, except as noted above.
4	
5	CHARLIE JOHNSON
6	CHARLIE JOHNSON
7	THE STATE OF TEXAS)
8	COUNTY OF TRAVIS)
9	Before me,, on
10	this day personally appeared CHARLIE JOHNSON, known to
11	me (or proved to me under oath or through
12) (description of identity card
13	or other document) to be the person whose name is
14	subscribed to the foregoing instrument and
15	acknowledged to me that they executed the same for the
16	purposes and consideration therein expressed.
17	
18	Given under my hand and seal of office this
19	, day of, 2023.
20	
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22	
23	
24	Notary Public in and for the State of Texas
25	



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               IN THE UNITED STATES DISTRICT COURT
               FOR THE WESTERN DISTRICT OF TEXAS
 2
                       SAN ANTONIO DIVISION
 3
    LA UNION DEL PUEBLO ENTERO, ET AL.,)(
         Plaintiffs,
 4
                                           ) (
                                               Case No.:
                                                5:21-cv-0844-XR
    V.
                                           ) (
 5
    TEXAS, ET AL.,
         Defendants.
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 7
    OCA-GREATER HOUSTON, ET AL.,
                                           ) (
 8
         Plaintiffs,
                                           ) (
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 9
    V.
                                                Case No.:
                                                1:21-cv-0780-XR
                                           ) (
    TEXAS SECRETARY OF STATE
10
                                           ) (
    JANE NELSON, ET AL.,
                                           ) (
         Defendants.
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    HOUSTON AREA URBAN LEAGUE, ET AL.,
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         Plaintiffs,
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                                               Case No.:
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    V.
                                                5:21-cv-0848-XR
                                           ) (
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15
    GREGORY WAYNE ABBOTT, ET AL.,
                                           ) (
         Defendants.
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17
    LULAC TEXAS, ET AL.,
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         Plaintiffs,
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18
                                           ) (
                                                Case No.:
    V.
                                                1:21-cv-0786-XR
                                           ) (
19
    JANE NELSON, ET AL.,
20
         Defendants.
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    MI FAMILIA VOTA, ET AL.,
                                           ) (
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         Plaintiffs,
                                           ) (
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                                                Case No.:
                                                5:21-cv-0920-XR
23
    V.
                                           ) (
                                           ) (
    GREG ABBOTT, ET AL.,
24
                                           ) (
         Defendants.
                                           ) (
25
```



1 THE UNITED STATES OF AMERICA,) (Plaintiff,) (2) (Case No. V. 5:21-cv-1085-XR 3) (STATE OF TEXAS, ET AL.,) (4 Defendants. 5 REPORTER'S CERTIFICATION ORAL 30(b)(6) DEPOSITION OF TRAVIS COUNTY CLERK'S OFFICE 6 CHARLIE JOHNSON 7 March 29, 2023 I, STEPHANIE DAVIS, Certified Shorthand 8 9 Reporter in and for the State of Texas, hereby certify 10 to the following: That the witness, CHARLIE JOHNSON, was duly 11 12 sworn by the officer and that the transcript of the 13 oral deposition is a true record of the testimony 14 given by the witness; I further certify that pursuant to FRCP Rule 15 16 30(f)(1) that the signature of the deponent: 17 __X_ was requested by the deponent or a party before the completion of the deposition and that 18 19 the signature is to be before any notary public and 20 returned within 30 days from the date of receipt of 21 the transcript. If returned, the attached Changes and 22 Signature Page contains any changes and the reasons therefor; 23 24 ___ was not requested by the deponent or a



party before the completion of the deposition.

1 I further certify that I am neither counsel 2 for, related to, nor employed by any of the parties or 3 attorneys in the action in which the proceeding was 4 taken, and further that I am not financially or 5 otherwise interested in the outcome of the action. 6 7 Certified to by me this _____ day of 8 _____, 2023 9 10 Heplania Dais 11 12 13 STEPHANIE DAVIS, TEXAS CSR 11355 14 Expiration Date: 11-30-2023 MAGNA LEGAL SERVICES 15 Firm Registration No. 633 1635 Market Street 16 Suite 800 Philadelphia, Pennsylvania 19103 17 Telephone: 866-624-6621 Facsimile: 215-207-9462 18 19 20 21 22 23 24 25



Exhibit 19



In The Matter Of

La Union Del Pueblo Entero, et al.,

Plaintiffs

ν

State Of Texas, et al.,

Defendants

CASE

5:21-cv-844

Date

4-28-2022

Witness

Brian Keith Ingram, J.D.

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1	IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS
2	SAN ANTONIO DIVISION
3	LA UNION DEL PUEBLO § ENTERO, ET AL., §
4	Plaintiffs, § Civil Action No. § 5:21-cv-844 (XR)
5	VS. § (Consolidated Cases)
6	STATE OF TEXAS, ET AL. § Defendants. §
7	**************************************
8	ORAL DEPOSITION OF
9	BRIAN KEITH INGRAM, J.D. CORPORATE REPRESENTATIVE FOR THE
10	TEXAS SECRETARY OF STATE OFFICE APRIL 28, 2022
11	***********
12	ORAL DEPOSITION OF BRIAN KEITH INGRAM, J.D.,
13	CORPORATE REPRESENTATIVE FOR THE TEXAS SECRETARY OF
14	STATE OFFICE produced as a witness at the instance of
15	the Plaintiffs and Plaintiff-Intervenors, and duly
16	sworn, was taken in the above-styled and numbered cause
17	on the 28th day of April 2022, from 9:03 a.m. to
18	3:18 p.m., before Caroline Chapman, CSR in and for the
19	State of Texas, reported by Computerized Stenotype
20	Machine, Computer-Assisted Transcription, held at the
21	rice Daniel Sr State Office Building, 209 West 14th
22	Street, Austin, Texas, and via web-based conference
23	pursuant to the Federal Rules of Civil Procedure.
24	
25	

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4/28/2022

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17	Josephine Ramirez
18	Barbara Nichols
19	Juan Estrada
20	Julie Longoria
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13	Exhibit 5 Texas Administrative Code Rule 81.6 105 Exhibit 6 Email to Sam Taylor from Kristi Hart 110 dated February 16, 2022, State073009
14	Exhibit 7 Election Code, Chapter 84, 114
15	Application for Ballot Exhibit 8 Texas Secretary of State Ballot by 119 Mail Tracker
16	Maii Hackei
17	REQUESTED DOCUMENTS/INFORMATION NO. DESCRIPTION PAGE
18	copies of the script of those radio ads 6
19	requested, previously, all documents related to 109 this match
20	redacted form of the privilege log 152
21	
22	Mr. Ingram's emails to ascertain whether notes 166
23	
24	
25	

1	A. I don't know what you're asking. Are you			
2	asking if we had any trouble that people we have got the			
3	wrong number for them, no evidence of that. The problem			
4	we had was people didn't supply numbers.			
5	Q. Did your office assess, after the fact, whether			
6	voters supplied the numbers that you brought in on			
7	December 20th on ABBM?			
8	A. No. We haven't compared those, no. But the			
9	problem that voters had was not wrong numbers. The			
10	problem was no number on the carrier envelopes.			
11	Q. Sitting here today, do you know if the			
12	December 20th process reduced ABBM rejections, did you			
13	assess that at all?			
14	A. How would we?			
15	Q. By looking at whether the voters subject to			
16	that match then submitted ABBMs and voted by mail?			
17	A. We haven't done that, no.			
18	Q. If we could mark this as Exhibit 7.			
19	(Exhibit No. 7 marked.)			
20	Q. (By Mr. Freeman) I will represent to you that			
21	this is an excerpt of the Chapter 84 of the Texas			
22	Election Code. I would like to ask you a couple of			
23	questions about Section 84.014. What is the effect of			
24	this provision?			
25	A. I don't know what you mean.			
- 1				

1	Q.	What does this provision require when an				
2	applicant provides a date of birth, driver's license					
3	numb	er or social security number on an application for				
4	an ea	rly voting ballot that is different from what it				
5	or in a	addition to what is in TEAM?				
6		MS. HUNKER: Objection, form. Calls for a				
7	legal o	conclusion. Compound.				
8	A.	This is it requires the voter's reg				
9	start-	up date, the voter's record with the updated				
10	inforı	mation that was provided on the ABBM.				
11	Q.	Have you provided any guidance regarding this				
12	provis	sion?				
13	A.	We have.				
14	Q.	Is it in the Early Voting Ballot Board and				
15	Signa	ture Verification Committee Handbook?				
16	A.	Well, I you know, probably. The place where				
17	it wo	uld be also is in the advisory.				
18	Q.	Which advisory?				
19	A.	The advisory that we have done on this new				
20	proce	ess. I think we have got a couple of them.				
21	Q.	Were those issued in 2017, 2018?				
22	A.	No. No. Since SB 1.				
23	Q.	Regarding 84.014?				
24	A.	Sure.				
25	Q.	Okay. How does this provision interact with				

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- A. Well, that -- that's something that we had to -- we had to decide, how does this interact, because if a voter can just put any number and it becomes the de facto number of their -- then SB 1 is gone. So we had to say that, if the first time you have got a number is on an application for ballot by mail, you can't use 84.014 to update the voter's record by itself. If you get something else, if you get a copy of the driver's license with the ABBM, if you get an updated voter registration application that comes with the ABBM that also has the number on it, then you can. But you can just take the number on the ABBM and update the voter's record and issue one without the ABBM, that would be comparing A to A and tautology.
 - Q. Is that additional requirement of a copy of a driver's license or something akin to that in the statute itself?

A. It is not.

MS. HUNKER: Objection, form.

A. It is something we had to say, part of our job in the Secretary of State's Office with regard to statutes is to harmonize them to make them both make sense. That's the way we harmonized this one. Because this, obviously, predates SB 1. SB 1 is the more

1	track	er.					
2	Q.	Q. Am I correct that this is the only way to					
3	correct an ABBM online?						
4		MS. HUNKER: Objection, form.					
5	A.	Well					
6		MS. HUNKER: Misstates testimony.					
7	A.	No.					
8	Q.	How else can a voter correct and					
9	A.	So if they don't have the number in their voter					
10	regist	tration record					
11	Q.	Uh-huh.					
12	A.	A they can fix that by going to Texas.gov					
13	which is not the ballot by mail tracker.						
14	Q.	What fields are required to access the ballot					
15	tracker?						
16	A.	The ones with asterisks by them.					
17	Q.	Does that include social security number and					
18	driver	's license number?					
19	A.	It does. Last four of social.					
20	Q.	Is this required by statute or by your policy?					
21	A.	Statute.					
22	Q.	And do these fields need to match what's on					
23	TEAM	?					
24	A.	They do.					
25	Q.	And so if a voter doesn't have both, an SSN-4					

1	and a DPS number on TEAM, are they able to use the			
2	ballot tracker?			
3	A. Not directly. They have to go to Texas.gov to			
4	supply the missing number first.			
5	Q. Okay. And if a voter has never been issued a			
6	Texas driver's license number, can the voter use the			
7	ballot tracker to correct online?			
8	A. If they have a personal ID number, election			
9	identification certificate number, yes.			
10	Q. If the voter has never been issued a driver's			
11	license number, personal identification number, or an			
12	election identification certificate number can that			
13	voter use the ballot tracker to correct online?			
14	A. They cannot.			
15	Q. If a voter's Texas driver's license number or a			
16	partial security number has a typo in TEAM, can the			
17	voter access the ballot tracker without knowing the			
18	erroneous number in TEAM?			
19	A. They would have to know the erroneous number in			
20	TEAM.			
21	Q. Are there any other categories of voter who			
22	cannot use the ballot tracker?			
23	MS. HUNKER: Objection, form.			
24	A. People who don't have a computer or internet			
25	access.			

5:21-cv-844 (XR) 4/28/2022

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Brian Keith Ingram JD 206

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Entero v Texas NATIONAL COURT REPORTERS INC 888.800.9656

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6	I, BRIAN KEITH INGRAM, J.D., have read the
7	foregoing deposition and hereby affix my signature that
8	same is true and correct, except as noted above.
9	
10	BRIAN KEITH INGRAM, J.D.
11	STATE OF TEXAS)
12	COUNTY OF TRAVIS)
13	Before me,, on this
14	the day personally appeared BRIAN KEITH INGRAM, J.D.,
15	known to me to be the person whose name is subscribed to
16	the foregoing instrument and acknowledge to me that they
17	executed the same for the purposes and consideration
18	therein expressed.
19	Given under my hand and seal of office
20	this day of, 2022.
21	
22	
23	NOTARY PUBLIC IN AND FOR
24	THE STATE OF
25	

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS	
2 SAN ANTONIO DIVISION	
3 LA UNION DEL PUEBLO §	
ENTERO, ET AL., § 4 Plaintiffs, § Civil Action No.	
§ 5:21-cv-844 (XR) 5 VS. § (Consolidated Cases)	
6 STATE OF TEXAS, ET AL. §	
Defendants. § 7 ***********************************	<***
8 REPORTER'S CERTIFICATION	
9 ORAL DEPOSITION OF	
BRIAN KEITH INGRAM, J.D.	
11 APRIL 28, 2022	
12 **************************	<****
I, CAROLINE CHAPMAN, Certified Shorthand	
Reporter in and for the State of Texas, hereby certify	
to the following:	
That the witness, BRIAN KEITH INGRAM, J.D.	
was duly sworn by the officer and that the transcript of	
the oral deposition is a true record of the testimony	
given by the witness;	
That the deposition transcript was	
submitted on May 2, 2022, to the witness or to the	
attorney for the witness for examination, signature, and	
return to me within 20 days;	
That the amount of time used by each party	
at the deposition is as follows:	

Mr. Freeman - Two hours and fifty-five
minutes.
Mr. Kanterman - One hour and twenty-two
minutes.
That pursuant to information given to the
deposition officer at the time said testimony was taken,
the appearance page includes all parties of record.
I further certify that I am neither
counsel for, related to, nor employed by any of the
parties or attorneys in the action in which this
proceeding was taken, and further that I am not
financially or otherwise interested in the outcome of
the action.
Certified to by me on May 2, 2022.
CAROLINE CHARMAN Toyas CSR 467
CAROLINE CHAPMAN, Texas CSR 467 Expiration Date: 03/31/2023 Firm Registration No. 223
WORLDWIDE COURT REPORTERS 3000 Weslayan, Suite 235
Houston, Texas 77027 (713) 572-2000
(713) 372-2000

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Page: 210 Brian Keith Ingram JD

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Exhibit 20

Keith Ingram March 28, 2023

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1
                 IN THE UNITED STATES DISTRICT COURT
                 FOR THE WESTERN DISTRICT OF TEXAS
 2
                      SAN ANTONIO DIVISION
     LA UNION DEL PUEBLO ENTERO,
 3
     et al.,
                      Plaintiffs,
                                     )Civil Action No.
 4
          vs.
     STATE OF TEXAS, et al.,
                                    )5:21-cv-844(XR)
                      Defendants. )(Consolidated Cases)
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                           ORAL DEPOSITION OF
                           KEITH INGRAM
                           March 28, 2023
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11
          ORAL 30(b)(1) DEPOSITION OF KEITH INGRAM, Volume
     1, produced as a witness at the instance of the
12
13
     Plaintiffs, and duly sworn, was taken in the
14
     above-styled and numbered cause on March 28, 2023, from
15
     9:15 a.m. to 4:18 p.m., before Dana Shapiro, CSR, in
     and for the State of Illinois, reported by machine
16
17
     shorthand, at 209 W. 14th Street, Austin, Texas 78701,
     pursuant to the Federal Rules of Civil Procedure and
18
19
     any provisions stated on the record or attached
20
     hereto.
21
22
23
24
25
```



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1 A. I did not.

2.

- Q. Did you speak with anyone else about your deposition today outside of your immediate family?
- A. I did. I talked to Christina Adkins in our office, I talked to Kristi Hart, and I talked to Donna Davidson at the Republican Party of Texas.
 - Q. What did you discuss with Ms. Davidson?
- A. The same thing that I talked to Christina about. There was an incident with regard to a poll watcher in Northern Hidalgo County. For the life of me I can't remember any details, neither could Christina, and neither could Donna.
 - Q. Anything else?
 - A. That's it.
- Q. Okay. So since we last spoke in April of 2022 has your role in the office of the Texas Secretary of State changed?
 - A. It has.
 - O. What's your current title?
- A. I'm not sure what the title is. I think it's project manager or special projects. I have been designated to work on one project.
 - Q. What's that project?
- A. The project is potentially replacing the ERIC system that we have that we're currently using to



use to compare voter registrations across state lines.

- Q. What was the impetus for your change in role?
- A. We had an organizational hearing at the Texas house for the House Elections Committee on March 10 or March 9, and then the Secretary was not pleased. She thought that my exchange with Representative Swanson was indicator that maybe it would be good for her and for me to change roles.
- Q. What was the impetus for the creation of the role that you are now in?
- A. Well, we have been discussing -- there is legislation that would require us to leave the ERIC system, Electronic Registration Information Center, and if any of that passes then we still have a law, legal obligation to compare voter roles across state lines. So we have a need to figure out what comes next if ERIC -- if we have to withdraw from ERIC.
- Q. In your new role do you report to the acting director of the elections division?
 - A. Yes.
 - Q. That's Ms. Adkins?
- 23 | A. It is.

Q. In your new role will you have any role in the implementation of SB 1's mail voting requirements



1 MS. HUNKER: Objection, form. 2 BY THE WITNESS: 3 Yes, that's true. That's the goal of the Α. 4 form. BY MR. FREEMAN: 5 Since the May 2022 runoff, did the Office 6 Ο. 7 of the Secretary of State make any changes to the absentee ballot by mail application? 8 9 Α. We changed several forms. I'm pretty sure 10 the application if it's got an oath of assistance on it 11 it changed, yes. MR. FREEMAN: Mark this as Exhibit 2. 12 13 (WHEREUPON, a certain document was 14 marked Deposition Exhibit No. 2, 15 for identification, as of 3/28/23.) 16 BY MR. FREEMAN: 17 Mr. Ingram, is this the current absentee Q. 18 ballot by mail form? I will represent to you this 19 form, I don't believe the date is on it, but it's the 20 form that's currently on your website and it's dated 21 December 9, 2021. 22 Α. Yes. I mean it looks like it, yes. 23 Okay. This form is still in effect, the Ο. form that's on the website? 24 25 Α. It is.



1 Any current plans to alter the form? Ο. 2. Α. No. Has your office considered altering the 3 0. 4 form since it was issued? 5 No, not this form. Α. Why not? 6 0. There is not a need to. Α. Is there a statutory reason this form could 8 Ο. 9 not inform voters that they may provide both a Texas 10 driver's license number and a partial Social Security 11 number? MS. HUNKER: Objection, form. 12 13 BY THE WITNESS: 14 Α. It's not what the law says. The form 15 outlines the law. BY MR. FREEMAN: 16 17 Q. Okay. And so if the form outlines the law, 18 is it not allowed for the form to inform voters that 19 they may provide both numbers? 20 Not on the form. It's not the law. Α. 21 Understood. O. 22 Has your office suggested any kind of 23 amendments to SB 1 that would permit including that 24 information on this form? 25 There is plenty of outside channels Α. No.



1 Α. The carrier envelope does. 2. O. Is this a reason why this form doesn't have a red box around the SB 1 identification number 3 4 requirements? 5 It's not needed. Α. Why is it not needed? 6 Q. 7 Because the application can just be redone Α. It's a much less formal document. It's not 8 any time. 9 the vote. Can it be redone if it's rejected -- strike 10 0. 11 that. Can it be redone if the voter does not 12 13 become aware of the rejection until after the ballot 14 application deadline? MS. HUNKER: Objection, form. 15 BY THE WITNESS: 16 17 Α. It can't. But the voter can vote in person 18 at that point. They have still complete ability to 19 vote. 2.0 BY MR. FREEMAN: 21 Just to confirm. During the 2022 general Ο. 22 election, did your office continue to advise election 23 administrators not to apply a hierarchy between DPS



numbers and Social Security numbers when determining

whether this form meets SB 1 requirements and identify

24

1 the correct voter?
2 A. I lost your thread there.

- Q. Just confirming. During the 2022 general, did your office continue to tell local election administrators, county clerks they didn't need to apply a hierarchy between the DPS number and the SSN when they were determining whether an ABBM adequately identifies a voter for SB 1 purposes?
 - A. Absolutely.
- Q. From an election administration perspective, during the 2022 general election did the language on this form directing voters to give their SSN for quote, if you do not have a Texas driver's license, Texas personal identification number or a Texas election identification certificate number, serve a purpose?
- 17 MS. HUNKER: Objection, form.
- 18 | BY THE WITNESS:

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- 19 A. It follows the law.
- 20 BY MR. FREEMAN:
- Q. What is the purpose of the law in stating that --
- MS. HUNKER: Objection, form.
- 24 BY MR. FREEMAN:
 - Q. -- to your knowledge?



1 0. Is this the up-to-date version of the 2. carrier envelope? It looks like it. 3 Α. 4 Q. What changes were made during the general 5 election period? Α. We put a red box around the numbers and we 6 7 changed the oath of office. Did your staff consider any further changes 8 0. 9 to the mail ballot carrier envelope during the general 10 election period? We did not. 11 Α. 12 Q. Why not? 13 There wasn't a need. Α. 14 O. Did your office have any concerns about the 15 red box being fully accessible to voters with any kinds 16 of disabilities? 17 Α. No. 18 Is there an issue with the red type and Ο. voters with disabilities? 19 20 I understand that to be the case, yes. Α. 21 What's the issue? O. 22 There's some people with some kinds of Α. 23 visual impairments don't see it. 24 Would it be helpful to Texas voters if the



mail ballot carrier envelope itself informed voters

Ο.

1 that they may provide both a Texas driver's number and 2. Social Security number? 3 MS. HUNKER: Objection, form. 4 BY THE WITNESS: 5 That's not the law. Α. BY MR. FREEMAN: 6 7 Would it be helpful if it did? Q. Doesn't matter if it's helpful or not. 8 Α. 9 MS. HUNKER: Objection. 10 BY THE WITNESS: 11 Α. It's not the law. We can't suggest to 12 voters that both numbers are required. We can suggest 13 to voters that they go ahead and voluntarily use both 14 numbers, and that they increase their chances of 15 success if they do, and we can hound that message big, but we can't make any suggestion on the official form 16 17 that both numbers are required. 18 BY MR. FREEMAN: 19 Just so I understand it. Why can you not 0. 20 say it's optional on the form? Because that's not the law. 21 Α. 22 Okay. Are there any current plans to alter Q. 23 the carrier envelope? 24 If the law changes we will change the



25

carrier envelope.

how they should look up the voter registration status of an applicant?

A. No.

- Q. Do you have an understanding of how they typically go about doing that?
- A. They either use TEAM or they use their local system. And some off-line counties use TEAM for this.
- Q. What information do they plug in when they are trying to pull up the registration status like name?
- A. Well, I mean if you're using TEAM you can search by voter name. That's probably the way they do it. They are limited to their county.
- Q. If we turn to page 32. What are the matters set out here?
 - A. This talks about the new law.
- Q. This is talking about looking up identification numbers; is that correct?
 - A. That's correct.
 - Q. That is separate from looking up registration status?
 - A. It's part of the registration status.
- 24 Q. But it's --
 - A. That's what it says at the last sentence



you talk to the voter registrar to confirm the voter registration and status.

- Q. But am I correct that the numbers provided here, driver's license, Social Security number, they are not used to look up the voter, they are used to confirm the voter; is that correct?
- A. They are used to make sure the voter has properly identified themself on the application, yes.
- Q. Those numbers are not used to find the voter in TEAM as part of the ABBM processing, correct?
- A. No, sir. I mean not usually. I guess they could look it up by DL number if they wanted to.
- Q. Do you have any understanding as to whether -- strike that.

Do you instruct local officials to do that?

MS. HUNKER: Objection, form.

BY THE WITNESS:

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A. We don't tell them how they use TEAM. All of the fields are available to look up anything they want to look up.

BY MR. FREEMAN:

Q. Are you aware of any local officials using the Texas driver's license number or Social Security number to look up a voter as part of the initial determination of their registration status?



registration record. I don't know.

BY MR. FREEMAN:

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Q. Is there any information here about using the number to look up the voter in the first instance as opposed to using the record that has already been pulled up with other information to confirm that the Texas driver's license number and Social Security number line up?

- A. Again, how they look up a voter is how they look up a voter. We don't get into that.
- Q. I have to ask you a few questions about the ballot tracker. When we last met last year we discussed the log-in requirements of the mail ballot tracker. We talked a little bit about it here today as well. Have there been any changes thus far to the log-in requirements for the ballot tracker since we met in April of last year?
 - A. There have not.
- Q. Does The Office of Secretary of State have the ability to change these log-in requirements absent changes to the election code?
 - A. We do not.
- Q. Do you know if the ballot tracker log-in page provides information as to how to add information to a voter TEAM record if the voter doesn't have a TDL



1 it was difficult for your office to respond more 2. quickly than by the day the corrective action forms were due? 3 Α. Our response time is within 24 hours. This 4 5 is an exception of that. When do those exceptions occur? 6 0. 7 I don't know. When they occur that's what Α. 8 makes it an exception. 9 I'm just trying to understand, you know, if O. 10 you have a typical practice, but there are exceptions. Is there a set of circumstances when you typically view 11 12 or experience those exceptions? 13 Our goal, our practice, our policy is to Α. 14 respond to email and phone calls within 24 hours. 15 0. Okay. Do you know how many exceptions occurred in the November 2022 general? 16 17 Α. I do not. 18 Do you know if this voter was Ο. 19 disenfranchised by SB 1? 20 MS. HUNKER: Objection, form. BY THE WITNESS: 21 22 I have no idea. Α. BY MR. FREEMAN: 23



that a voter can update their TEAM record after the

We previously discussed a number of ways

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Ο.

Keith Ingram March 28, 2023

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close of registration so they may successfully submit Prior to the November 2022 general could a voter submit a new voter registration form after the close of registration?

> Α. Yes.

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- Could they submit a copy of their driver's 0. license and their ID card with the ABBM?
 - They could. Α.
- Did they visit texas.gov to provide 0. information already in DPS databases to TEAM?
 - That's correct. Α.
 - Q. Was there anything else?
 - Those are the ways, I think. Α.
- O. Is there any indication on the Texas voter registration form that was in use at the time that it can be used to add missing information to a voter registration record as opposed to changing an existing name or address?
- No, there is not anything special about it. Α. It could be used for that purpose.
 - Is there any indication on the form itself 0. that it can be used for that purpose?
- There is a form -- form says it could be Α. used to change your record, yes.
 - Q. Well, let's mark this --



1 than name and address? 2. Α. I don't think so. I mean by website are 3 you talking about Texas.gov? 4 Q. Yes. 5 Α. Okay. We can mark this as Exhibit 16. 6 MR. FREEMAN: 7 (WHEREUPON, a certain document was marked Deposition Exhibit No. 16, 8 9 for identification, as of 3/28/23.) 10 BY MR. FREEMAN: 11 Mr. Ingram, what's this document? 0. 12 Α. This is a notice of rejected application 13 for ballot by mail for missing or incorrect personal ID 14 number. 15 Was this the version of the form that was Ο. 16 in use in the November general election? 17 Α. I believe so, yes. 18 I apologize. I had intended to provide you Ο. 19 with form 6-4, which is a different notice of rejected 20 application for ballot by mail. If we hold Exhibit 17 21 for that, and I will show that to you on this laptop. 22 (WHEREUPON, a certain document was 23 marked Deposition Exhibit No. 17, 24 for identification, as of 3/28/23.) 25 BY MR. FREEMAN:



Keith Ingram March 28, 2023

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0. What's form 6-4?

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- It's a notice of rejected application of Α. ballot by the mail that says required ID number is not in your record.
- So that's a different notice of rejection application for ballot by mail from form 6-3. specific for folks who don't have anything on their TEAM record; is that right?
- Well, whatever they put on their Α. application for ballot by mail is not in their record.
- Okay. So it's not just folks who have nothing, it's also for folks who put something and it didn't match; is that right?
- It didn't -- if it didn't match because Α. it's incorrect, they get the other form. If it didn't match because there is nothing there, they get this form.
- Okay. Great. Was this form in use in Ο. November 2022?
 - Α. It was.
- Does it state there are only two ways to 0. add the required numbers?
 - That's correct. Α.
- Do you have any intention to update this Ο. form to tell voters they can mail in a copy -- strike



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Did you ever discuss with your colleagues updating this form to inform voters that they can mail in a copy of their Texas driver's license with their ABBM to update?

- A. No. We got that question as a county who received a copy of DL and what do we do with this, so we answered that question. It was never going to be us telling a voter that they have to mail in a copy of their DL.
- Q. The form only directs voters to go to Texas.gov generally, not to a specific page on that website; is that correct?
- 14 MS. HUNKER: Objection, form.
- 15 | BY THE WITNESS:
 - A. It says you can update your voter registration record at Texas.gov.
- 18 BY MR. FREEMAN:
- 19 Q. Not like
- 20 | Texas.gov/updateyourvoterregistrationrecord?
 - A. Well, during the election season, Texas had change your name and address on your voter registration on front and center on the front page on Texas.gov.
- MR. FREEMAN: If we could mark this as Exhibit 18.



1	(WHEREUPON, a certain document was
2	marked Deposition Exhibit No. 18,
3	for identification, as of 3/28/23.)
4	BY MR. FREEMAN:
5	Q. Before we do will to your knowledge,
6	will Texas.gov continue to have the update your name
7	and address information on the home page during every
8	election season moving forward?
9	MS. HUNKER: Objection, form.
10	BY THE WITNESS:
11	A. So we coordinate with DIR, Department of
12	Information Resources, they are the ones who run the
13	Texas.gov page, and we coordinate with them about when
14	we would like that message to be prominent.
15	BY MR. FREEMAN:
16	Q. What's document Exhibit 18?
17	A. Well, it's a page that's on Texas.gov.
18	Q. Is this the page on which voters can update
19	their name and address?
20	A. Yes.
21	Q. Is this do you know if this is a current
22	page that's in use?
23	A. I don't know. I mean if it is there is
24	different information one more page in.
25	Q. Well, I think I have that page as well.



1 But on this page is there any indication that this 2. website can be used to update Texas driver's license number or Social Security number information on a voter 3 4 registration record? 5 Objection, form. MS. HUNKER: BY THE WITNESS: 6 7 There is not any indication of that on this Α. page, no. 8 9 MR. FREEMAN: Mark this as Exhibit No. 19. (WHEREUPON, a certain document was 10 11 marked Deposition Exhibit No. 19, for identification, as of 3/28/23.) 12 13 BY MR. FREEMAN: What's Exhibit 19? 14 O. 15 Α. This is the identity management page for 16 the Texas.gov. 17 Is this the other page that you were Q. 18 thinking of? 19 Α. No. 20 Do you know if this is the current page 0. 21 that's in use on Texas.gov? 22 Α. For identity management, yes. 23 This is the page that's used to update a Ο. 24 voter's name and address, correct? 25 This is for voter registration changes Α.



through Texas.gov.

Q. Is this the page that voters would use to update their Texas driver's license number or Social Security number on their voter file?

- A. If they wanted to add to voter file this was the one that replaces zero, no value with a number.
- Q. Is there any indication on this website that this is the page that can be used to update Texas driver's license number or Social Security number on voter registration record?
- A. No. But if you fill this out, the next page in says, "If your purpose is to update your voter record with your numbers you have done it so log out. You are finished."
- Q. Okay. In some are there any instructions prior --
 - A. Act of logging in supplies no values.
- Q. Understood. In some are there any instructions on Texas.gov prior to logging in that this site may be used to add a Texas driver's license number or Social Security number to voter registration records?
 - A. I don't think so.
- Q. We previously discussed a number of ways voters can add or correct identification numbers on a



BY MR. FREEMAN:

Q. The ballot tracker is only accessible to voters who have both a Texas driver's license number and a Social Security number on their TEAM file, correct?

- A. Right.
- Q. As of right now?
- A. That's correct. Which is over 96 percent of voters.
- Q. Mr. Ingram, do you recall when we met back in April of 2022 that we discussed whether a single voter could be issued more than one DPS number?
 - A. Yes.
- Q. Do you recall whether you knew at the time whether DPS had in fact issued multiple numbers to particular individuals over the course of their lifetime?
- A. If I didn't say that's a DPS question I am saying it now, it's a DPS question.
- Q. Do you know whether DPS has done that in the past?
 - A. To my knowledge, you get one number.
- Q. I have some document I'm hoping can clear this up. We can mark this as Exhibit 19.

(WHEREUPON, a certain document was



misunderstand and think that's what they have to submit. Has your office done anything to address that specific scenario?

- A. You would have to talk to Sam about our education campaign. But, you know, what we tell voters if they call our office is that they need to use whatever is currently in their voter registration, and that's why we encourage them to use both numbers so that if one of them hits they are good.
- Q. Is a voter able, to your knowledge, to call their local clerk or election administrator and ask specifically what number is on their registration record?
 - A. Of course.
- Q. So I could call and say what's the driver's license on my registration record and then fill that in on an ABBM?
 - A. Sure.
- 19 MS. HUNKER: Objection, form.
 - BY THE WITNESS:

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- A. It would go through some questions to validate that it's you and not some vote harvester trying to steal your vote, but yes.
- 24 BY MR. FREEMAN:
 - Q. What questions would they use?



1 Α. I don't know. Whatever the county uses 2 whenever they validate someone's identity on the phone. Any information that isn't also on the 3 Ο. 4 ABBM? Well, it's information that would be in Α. their voter record. 6 But it's information that was on the 7 Q. application prior to SB 1, right, name, date of birth, 8 9 address, things like that, correct? 10 Α. That's correct. 11 Ο. In theory if a voter -- strike that. 12 So if an individual wanted to cast an ABBM 13 in someone else's name, the only security addition 14 created by SB 1 is the driver's license number or a 15 Social Security number, correct? 16 MS. HUNKER: Objection, form. 17 BY THE WITNESS: 18 Well, I mean signature still counts. Α. BY MR. FREEMAN: 19 20 Sure. That was pre -- signature counted Ο. 21 pre-SB 1, right? 22 Α. Agreed. 23 In fact, it's easier to meet the signature Ο. 24 requirement after SB 1? 25 Α. Agreed.



discussed to think about the next iteration of TEAM, and whether or not they want to have another field for an ID number. That decision has not been made yet.

- Q. What's the stage of the procurement process for the next iteration of TEAM at this point?
- A. We are going through the drafting of the RFP, RFO, whatever we are calling it.
 - Q. Do you know when that will be complete?
- A. Soon. If I had my way it would have been two weeks ago.
- Q. To be clear, if a voter has been issued multiple DPS numbers and provides a DPS ID number different from the one listed in TEAM on an ABBM and does not also provide a Social Security number, that ABBM will be rejected, correct?
- A. If they don't provide a number that's in their voter registration record they will be rejected, yes, at least temporarily.
 - Q. Same thing on mail ballot?
 - A. Same thing on mail ballot.
- Q. Would you agree a duly registered voter whose ballot was rejected under these circumstances was not at fault?
- MS. HUNKER: Objection, form.
- 25 BY THE WITNESS:

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1		CHANGES AND SIGNATURE	
2	KEITH INGRAM		
3	March 28, 2023		
4	PAGE/LINE	CHANGE	REASON
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1	I, KEITH INGRAM, have read the foregoing
2	deposition and hereby affix my signature that the same
3	is true and correct, except as noted on the previous
4	page.
5	
6	
7	KEITH INGRAM
8	THE STATE OF)
9	COUNTY OF)
10	Before me,, on this day
11	personally appeared KEITH INGRAM, known to me (or
12	proved to me under oath or through)
13	(description of identity card or other document) to be
14	the person whose name is subscribed to the foregoing
15	instrument and acknowledged to me that he executed the
16	same for the purposes and consideration therein
17	expressed.
18	Given under my hand and seal of office this
19	day of, 20
20	
21	
22	NOTARY PUBLIC IN AND FOR
23	THE STATE OF
24	COMMISSION EXPIRES:
25	



1 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS 2 SAN ANTONIO DIVISION LA UNION DEL PUEBLO ENTERO, 3 et al., Plaintiffs,)Civil Action No. 4 vs. STATE OF TEXAS, et al.,)5:21-cv-844(XR)Defendants. 5)(Consolidated Cases) 6 7 REPORTER'S CERTIFICATION ORAL DEPOSITION OF KEITH INGRAM 8 March 28, 2023 9 10 I, Dana Shapiro, a Certified Shorthand Reporter, 11 hereby certify to the following: That the witness, KEITH INGRAM, was duly sworn by 12 13 the officer and that the transcript of the oral 14 deposition is a true record of the testimony given by 15 the witness; I further certify that pursuant to FRCP Rule 16 17 30(e)(1) that the signature of the deponent: 18 was requested by the deponent or a party before the 19 completion of the deposition and that the signature is 20 to be before any notary public and returned within 30 21 days from date of receipt of the transcript. 22 returned, the attached Changes and Signature Pages 23 contain any changes and reasons therefore; 24 I further certify that I am neither counsel for, 25 related to, nor employed by any of the parties or



attorneys in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action. Certified to by me this April 10, 2023. Dana Shapiro Dana Shapiro Illinois CSR 84-3597 Expiration: 5/31/23 Magna Legal Services Firm Registration No. 633 1635 Market Street 8th Floor Philadelphia, PA 19103



March 28, 2023 Page 223 Keith Ingram

1	COUNTY OF TRAVIS)
2	STATE OF TEXAS)
3	I hereby certify that the witness was notified on
4	, that the witness has 30 days
5	after being notified by the officer that the transcript
6	is available for review by the witness and if there are
7	changes in the form or substance to be made, then the
8	witness shall sign a statement reciting such changes
9	and the reasons given by the witness for making them;
10	That the witness' signature was/was not returned
11	as of
12	Subscribed and sworn to on this day of
13	, 20
14	
15	 Dana Shapiro
16	Illinois CSR 84-3597 Expiration: 5/31/23
17	Magna Legal Services Firm Registration No. 633
18	1635 Market Street 8th Floor
19	Philadelphia, PA 19103
20	
21	
22	
23	
24	
25	



Exhibit 21

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO,	ET AL)
PLAINTIFFS,)
VS.))CIVIL ACTION NO.)5:21-CV-844 (XR)
STATE OF TEXAS, ET AL,)(CONSOLIDATED CASES)
DEFENDANTS.)

ORAL DEPOSITION OF

CHRISTINA ADKINS

JULY 20, 2022

ORAL DEPOSITION of CHRISTINA ADKINS, produced as a witness at the instance of the Plaintiffs, and duly sworn, was taken in the above-styled and numbered cause on the 20th day of July, 2022, from 9:00 a.m. to 3:06 p.m., before Gabriela S. Silva, CSR, RPR in and for the State of Texas, reported by stenograph, at William P. Clements Building, 300 W. 15th Street, Austin, Texas, pursuant to the Federal Rules of Civil Procedure and the provisions stated on the record or attached hereto.

1	P APPEARANCES	age 2	1	Pa	age 3
2	APPEARANCES		+	APPEARANCES (cont'd.)	
3			2		
4 5	COUNSEL FOR THE PLAINTIFFS: JENNIFER J. YUN		3	COUNSEL FOR THE DEFENDANTS:	
5	DANA PAIKOWSKY		3	KATHLEEN HUNKER	
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1	ASSISTANT TRAVIS COUNTY ATTORNEY		16	JOSEPHINE RAMIREZ	
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	JONES DAY		20		
22	51 Louisiana Ave NW		21 22		
23	Washington, DC 20001 (202) 879-3939		23		
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Appearances. Exhibits. CHRISTINA ADKINS Direct Examination by MRS. YUN. Cross-Examination by MR. BIETER. Cross-Examination by MRS. CUBRIEL. Changes and Signature.	PAGE 02 04 07 120 196 199	2 3 4 5 6 7 8 9 10 11 12 13 14 15	EXHIBITS Exhibit No. 1 State 053428. Exhibit No. 2 State 053284. Exhibit No. 3 State 035247. Exhibit No. 4 State 034156. Exhibit No. 5 State 031647. Exhibit No. 6 State 040997. Exhibit No. 7 State 051170. Exhibit No. 8 State 034565. Exhibit No. 9 State 031546.	20 32 34 38 44 45 49
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Appearances. Exhibits. CHRISTINA ADKINS Direct Examination by MRS. YUN. Cross-Examination by MR. BIETER. Cross-Examination by MRS. CUBRIEL. Changes and Signature.	PAGE 02 04 07 120 196 199	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	EXHIBITS Exhibit No. 1 State 053428 Exhibit No. 2 State 053284 Exhibit No. 3 State 035247 Exhibit No. 4 State 034156 Exhibit No. 5 State 031647 Exhibit No. 6 State 040997 Exhibit No. 7 State 051170 Exhibit No. 8 State 034565 Exhibit No. 9 State 031546 Exhibit No. 10 State 019849	20 32 34 38 44 45 49 58 67
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Appearances. Exhibits. CHRISTINA ADKINS Direct Examination by MRS. YUN. Cross-Examination by MR. BIETER. Cross-Examination by MRS. CUBRIEL. Changes and Signature.	PAGE 02 04 07 120 196 199	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	E X H I B I T S Exhibit No. 1	20 32 34 38 44 45 49 58 67 78 86
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1	Page 6		Page 7
2	EXHIBITS (cont'd.)	1	PROCEEDINGS
	Exhibit No. 16	2	(On the record at 9:00 a.m.)
3 4	State 075391	3	(Witness sworn in.)
1	State 078343	4	CHRISTINA ADKINS,
5		5	having first been duly sworn, testified as follows:
6	Exhibit No. 18 State 075307	6	DIRECT EXAMINATION
7	Exhibit No. 19	7	BY MRS. YUN:
	State 001713	8	Q. Good morning, Mrs. Adkins.
8	Exhibit No. 20	9	A. Good morning.
9	State 075401	10	Q. My name is Jennifer Yun. I'm from the Department
10	Exhibit No. 21	11	of Justice. Thank you for joining us this morning.
11	State 031879	12	Could you please state your name and spell it for the
1.1	Exhibit No. 22	13	record?
12	State 032017	14	A. My name is Christina Worrell Adkins.
13	Exhibit No. 23 State 076578	15	C-H-R-I-S-T-I-N-A, Worrell, W-O-R-R-E-L-L, Adkins,
14	State 076578		A-D-K-I-N-S.
	Exhibit No. 24	17	Q. Thank you. Before we do anything else, I want to
15	State 074958		make sure we are set up for a smooth deposition. Have
16	Exhibit No. 25 State 075495		_
17		19	you been have you ever been deposed before?
18		20	A. No.
19		21	Q. Okay. So here are some ground rules to help us
21		22	throughout the deposition. So first, this works best
22		23	for the court reporter if you wait to start your answer
23		24	until I finish my question. Is that okay with you?
25		25	A. Sure.
1	Q. Also, the court reporter cannot indicate any head	1	Page 9 impaired today?
2	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be	2	impaired today? A. No.
2 3	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you?	2	impaired today? A. No. Q. Have you consumed any prescription medication,
2 3 4	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes.	2 3 4	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or
2 3 4 5	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes. Q. Your attorney may object to a question, but you	2 3 4 5	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or otherwise have reason to believe you might be impaired
2 3 4 5 6	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes. Q. Your attorney may object to a question, but you should still answer the question unless they	2 3 4 5 6	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or otherwise have reason to believe you might be impaired from testifying truthfully and accurately today?
2 3 4 5 6 7	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes. Q. Your attorney may object to a question, but you	2 3 4 5	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or otherwise have reason to believe you might be impaired from testifying truthfully and accurately today? A. No.
2 3 4 5 6	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes. Q. Your attorney may object to a question, but you should still answer the question unless they specifically instruct you not to do so. Is that okay? A. Yes.	2 3 4 5 6	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or otherwise have reason to believe you might be impaired from testifying truthfully and accurately today? A. No. Q. I want to remind you that you're under oath and
2 3 4 5 6 7 8	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes. Q. Your attorney may object to a question, but you should still answer the question unless they specifically instruct you not to do so. Is that okay? A. Yes. Q. Can you agree that if you don't understand a	2 3 4 5 6 7	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or otherwise have reason to believe you might be impaired from testifying truthfully and accurately today? A. No. Q. I want to remind you that you're under oath and subject to penalties for giving false or misleading
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes. Q. Your attorney may object to a question, but you should still answer the question unless they specifically instruct you not to do so. Is that okay? A. Yes. Q. Can you agree that if you don't understand a question or need need any clarification, you'll say so? A. Yes. Q. And also, if you can't hear me or also, just let me know. A. Of course. Q. And on the other hand, if you answer without asking for any clarification, I'll assume that you have understood my question. Is that fair? A. Sure. Q. Is there any reason you're aware of that your memory and ability to answer questions would be impaired today?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or otherwise have reason to believe you might be impaired from testifying truthfully and accurately today? A. No. Q. I want to remind you that you're under oath and subject to penalties for giving false or misleading testimony. So it's important to answer my questions truthfully, accurately and completely. Do you understand? A. I do. Q. And finally, if you need a break, just let me know and we can take one. I'll just ask that you answer any pending question before we take a break. Is that okay? A. Of course. Q. Great. Do you have any questions? A. No. Q. Okay. Did you prepare to testify at this deposition?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes. Q. Your attorney may object to a question, but you should still answer the question unless they specifically instruct you not to do so. Is that okay? A. Yes. Q. Can you agree that if you don't understand a question or need need any clarification, you'll say so? A. Yes. Q. And also, if you can't hear me or also, just let me know. A. Of course. Q. And on the other hand, if you answer without asking for any clarification, I'll assume that you have understood my question. Is that fair? A. Sure. Q. Is there any reason you're aware of that your memory and ability to answer questions would be impaired today? A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or otherwise have reason to believe you might be impaired from testifying truthfully and accurately today? A. No. Q. I want to remind you that you're under oath and subject to penalties for giving false or misleading testimony. So it's important to answer my questions truthfully, accurately and completely. Do you understand? A. I do. Q. And finally, if you need a break, just let me know and we can take one. I'll just ask that you answer any pending question before we take a break. Is that okay? A. Of course. Q. Great. Do you have any questions? A. No. Q. Okay. Did you prepare to testify at this deposition? MRS. HUNKER: Objection, form.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Also, the court reporter cannot indicate any head nods or any other gesture so every answer needs to be verbal. Is that okay with you? A. Yes. Q. Your attorney may object to a question, but you should still answer the question unless they specifically instruct you not to do so. Is that okay? A. Yes. Q. Can you agree that if you don't understand a question or need need any clarification, you'll say so? A. Yes. Q. And also, if you can't hear me or also, just let me know. A. Of course. Q. And on the other hand, if you answer without asking for any clarification, I'll assume that you have understood my question. Is that fair? A. Sure. Q. Is there any reason you're aware of that your memory and ability to answer questions would be impaired today?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	impaired today? A. No. Q. Have you consumed any prescription medication, drugs, alcohol, suffered any condition or injury or otherwise have reason to believe you might be impaired from testifying truthfully and accurately today? A. No. Q. I want to remind you that you're under oath and subject to penalties for giving false or misleading testimony. So it's important to answer my questions truthfully, accurately and completely. Do you understand? A. I do. Q. And finally, if you need a break, just let me know and we can take one. I'll just ask that you answer any pending question before we take a break. Is that okay? A. Of course. Q. Great. Do you have any questions? A. No. Q. Okay. Did you prepare to testify at this deposition?

9

Page 10

- 1 A. Consulted with, you know, my -- the attorneys
- 2 that are here.
- 3 Q. Approximately, how much time did you spend
- 4 preparing?
- 5 A. In total, maybe about six hours.
- 6 Q. So other than the folks here in this room, did
- 7 you meet with anyone else?
- 8 A. No.
- 9 Q. And when did these meetings take place?
- 10 A. Over the course of the last few weeks.
- 11 Q. Did you review any documents in the course of
- 12 your preparation?
- 13 A. Minimally.
- 14 Q. What did you review?
- 15 A. I think I glanced at a couple of the advisories
- 16 that we issued.

19

- 17 Q. Did you bring any documents with you?
- 18 A. I did not.
 - Q. So I'll start with some background questions.
- 20 Where do you work?
- 21 A. I work for the Texas Secretary of State.
- 22 Q. And what is your current job title?
- 23 A. I am currently the Legal Director for the
- 24 Elections Division.
- Q. Could you explain what that position entails?

- Page 11
 A. Sure. As Legal Director, I oversee the legal
- 2 staff, which consists of attorneys that provide advice
- 3 and assistance to election officials. And one of our
- 4 newer sections is our election security trainers that
- 5 provide training and assistance to Counsel on policies
- 6 and procedure as it relates to elections and security
- 7 issues related to elections.
 - Q. And who do you report to?
- A. Keith Ingram, the Director of Elections.
- 10 Q. And what kind of decisions require approval or
 - discussions with Mr. Ingram?
- 12 A. What do you mean by approval?
- Q. What do you need to run by Mr. Ingram in order to do a task?
- 15 MRS. HUNKER: Objection, form, vague.
- 16 A. When I work with Mr. Ingram, it's very
- 17 collaboratively. I'm not sure that there's things I
- 18 have to run by him in so much as we work together to
- heta come up with like a policy or an answer, you know, that
- 20 our office is going to give on certain items.
- 21 Q. (By Mrs. Yun) How long have you been in your
- 22 current position?
- 23 A. I've been the legal director since December of
- 24 2017.

25

7

Q. And were you in the Elections Division before you

Page 12

- 1 became the legal director?
- 2 A. I was, uh-huh.
- 3 Q. How long were you in the Elections Division?
- 4 A. I think about six years. Since June of 2012, I
- 5 was an attorney and ran the certification program for
- 6 voting systems.
- 7 Q. So between 2012 and 2017, you were doing the
- 8 certification -- you were in charge --
- 9 A. Oh, that was part of it, yeah, and an attorney
- 10 that provided assistance and advice to election
- 11 officials regarding election laws in Texas.
- 12 Q. What did you do before you joined the Elections
- 13 Division?
- 14 A. I worked for the Texas Workforce Commission.
- 15 O. And before that?
- 16 A. A little bit of, like, contract work. I was
- 17 right out of law school after that.
- 18 Q. Understood. Thank you. So you briefly went over
- 19 some of your team's responsibilities. Could you explain
- 20 what your team does? And we can start with the team of
- 21 attorneys that you mentioned. What are their chief
- 22 responsibilities?
- 23 A. As I indicated before, one of the primary things
- 24 that my team does is we provide advice and assistance to
- 25 election officials, candidates, members of the public

- Page 13
- regarding the laws around elections in Texas. We do
- $2\,$ that in a number of ways. We talk to people on the
- 3 phone, we respond to e-mail inquiries, we produce
- 4 guidance on different subjects. We issue election law
- 5 advisories, we have handbooks and resources, we speak at
- 6 conferences. You know, just general support to the
 - election community in Texas.
- 8 Q. And could you briefly describe the
- 9 responsibilities of the elections security trainers?
- 10 A. Sure. It's a new -- a new section that we just
- 11 started. We brought some folks on board that have very
- 12 practical experience in the election arena. Almost all
- 13 of them are former election officials, so they have the
- 14 practical side to compliment the legal side. And their
- 15 primary obligation is to provide training to counties on
- 16 specific policies and procedures and -- with a general
- 17 focus on security issues, yeah.
- 18 Q. Understood. You mentioned election advisories.
- 19 What is your role specifically in terms of drafting or
- 20 revising or approving election advisories?
- A. It depends on the advisory itself. You know, we have some advisories that we issue that are routine for
- 23 every election. And generally, for those I will help
 - assign those out to the attorneys and give them guidance on what they need to cover or give them instructions on

Page 42

1 information in the registration record. For example, if

- 2 they provided the same registration address, if they --
- 3 if the person opted to put their date of birth and
- 4 provided their date of birth, you know, if those all
- 5 match, then you can be reasonably sure it's the same
- 6 person.
- 7 Q. (By Mrs. Yun) Even though their last name is now
- 8 different?
- 9 A. That's correct.
- 10 Q. Okay. So according to your office, is -- do you
- 11 provide any guidance as to how an EV clerk might be able
- 12 to confirm that the individual is a registered voter of
- 13 that same political subdivision?
- 14 MRS. HUNKER: Objection, form, outside
- 15 personal knowledge, vague. You can answer.
- 16 A. I think that we -- I would tell them exactly what
- 17 I just told you, is that you would look to see the other
- 18 items that they listed on the application, whether they
- 9 match the voter registration record.
- 20 Q. (By Mrs. Yun) And if, say, an EV clerk, you know,
- 21 called the voter to see if they changed their last name
- 22 or something like that, would that be okay according to
- 23 your office?
- 24 MRS. HUNKER: Objection, form, improper
- 25 hypothetical.

Page 44

- 1 Q. Any plans to change it in the future?
- 2 A. Not unless there's a law change that tells us to.
- 3 Q. Got it, thank you.
- 4 A. Sure.
- 5 (Exhibit Number 5 was marked.)
- 6 Q. (By Mrs. Yun) I'm going to hand you what's been
- 7 marked as Exhibit 5. It's Bates 31647. Do you
- 8 recognize this document?
- 9 A. I do.
- 10 Q. And what is it?
- 11 A. It looks like it is a document or an official
- 12 form that we prescribed for Ballot by Mail materials.
- 13 The title is, Information About Returning Your Carrier
- 14 Envelope. We commonly refer to this as the carrier
- 15 insert because it's an insert that goes with your
- 16 carrier envelope when you're mailing it to the voter.
- 17 Q. Got it, thank you. So below, how do I return by
- 18 marked ballot to the Early Voting Clerk, it says you may
- 19 hand deliver it on Election Day in person. Is that
- 20 right?
- 21 A. That's correct.
- 22 Q. And it says, When you're hand delivering your own
- 23 ballot, it says, and I quote, you will be asked to
- 24 present an acceptable form of photo ID, end quote.
- 25 Correct?

A. I don't know if we've had that specific question

Page 43

- 2 before. I probably need to know a little bit more
- 3 about, you know, why they wanted to call them, you know,
- 4 if they couldn't validate that information from the
- 5 application in the record itself.
- 6 O. (By Mrs. Yun) So am I understanding correctly
- 7 that as long as the EV clerk can identify this voter as
- a registered voter in the same political subdivision,
- 9 the ABBM is not rejected even though the information on
- 10 $\,$ the ABBM does not perfectly match the registration
- 11 record. Is that right?
- 12 MRS. HUNKER: Objection, form, calls for
- 13 legal conclusion, vague, ambiguous, misstates witness's
- 14 testimony.
- 15 A. Again, I would say generally I'd have to have a
- 16 little bit more information, you know, to know what the
- 17 county's looking at when they're process that ABBM or
- 18 the election official, but this is one of those examples
- 19 that comes up because people change their name. They
- 20 get married, they get divorced, you know, name changes
- 21 happen. That, in and of itself, is not an eligibility
- 22 requirement for voting by mail.
- 23 Q. (By Mrs. Yun) Has this guidance changed since
- 24 this webinar was given?
- 25 A. No.

Page 45 A. That's correct. That phrase is there.

- Q. Okay. So the voter's ID will be checked when the
- 3 voter is returning the ballot in person. Is that right?
 - A. That's correct. It's required by law.
- Q. And that hand-delivered ballot could still be
- 6 rejected if the carrier envelope included an ID number
- that did not match the voter's registration record?
- 8 A. That's correct.
- 9 Q. Okay.

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- (Exhibit Number 6 was marked.)
- 11 Q. (By Mrs. Yun) I'm marking -- or I'm handing you
- what's been marked as Exhibit 6. Do you recognize this
- 13 document?
- 14 A. It looks like an e-mail that was sent by one of 15 our attorneys to Walker County, Texas.
- Q. And you were blind copied. Is that right?
- 17 A. Yes.
 - Q. And this is an e-mail from December 2021?
- 19 A. It appears to be, yes.
 - O. Let's turn to Page 2, the bottom of Page 2. And
- 21 so this is e-mail from Walker County to Elections
- 22 Internet. Actually, what is the Elections Internet
- 23 e-mail address?
- 24 A. Elections@SOS.texas.gov.
- Q. And what is the purpose of that e-mail address?

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1	rush needed.	1	CHANGES AND SIGN	
2	MR. NELSON: Yes, Tony Nelson for Travis	2	WITNESS NAME: DATE	
3	County and we would like a copy of the transcript PDF	3	PAGE LINE CHANGE	REASON
4	copy, the same conditions as the other attorneys just	4		
5	indicated.	5		
6	MR. FISCHER: Good afternoon. This is Mike	6		
7	Fischer, Jones Day on behalf of the RNC in the Dallas	7		
8	County and Harris County GOP. We'd also like to request	8		
9	a PDF copy of the transcript under same conditions,	9		
10	please.	10		
11	(Deposition concluded at 3:06 p.m.)	11		
12	*-*-*SIGNATURE REQUESTED*-*-*	12		
13		13		
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1 2 3 4 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Page 200 I, CHRISTINA ADKINS, have read the foregoing deposition and hereby affix my signature that same is true and correct, except as noted above. CHRISTINA ADKINS THE STATE OF TEXAS) COUNTY OF TRAVIS) Before me,, on this day personally appeared CHRISTINA ADKINS, known to me (or proved to me under oath or through) (description of identity card or other document) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed. Given under my hand and seal of office this day of, 2022.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	IN THE UNITED STATES DIFORTHE WESTERN DISTRISAN ANTONIO DIVI LA UNION DEL PUEBLO ENTERO, ET AL PLAINTIFFS, VS. STATE OF TEXAS, ET AL, DEFENDANTS. REPORTER'S CERTIFICATION OF CHRISTING July 20, 20, 20, 21, Gabriela S. Silva, Certiform and for the State of 1 to the following: That the witness, CHRISTING SWORN by the officer and that the deposition is a true record of the the witness; I further certify that pure 30(f)(1) that the signature of the LX— was requested by the depotence of the completion of the deposition a is to be before any notary public 30 days from date of receipt of the same control of the deposition of the deposi	CCT OF TEXAS (SION))))))))CIVIL ACTION NO.)5:21-CV-844 (XR))(CONSOLIDATED CASES)))))) CCATION INA ADKINS 22 ified Shorthand Texas, hereby certify A ADKINS, was duly transcript of the oral a testimony given by suant to FRCP Rule a deponent: enent or a party before and that the signature and returned within
20 21 22 23 24 25	Notary Public in and for The State of Texas	19 20 21 22 23 24 25	returned, the attached Changes and contains any changes and the reason was not requested by the obefore the completion of the depose I further certify that I am related to, nor employed by any of attorney in the action in which the taken, and further that I am not fotherwise interested in the outcome.	deponent or a party sition. In neither counsel for, If the parties or this proceeding was financially or

	Page 202
1	Certified to by me this day of, 2022.
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3	2//. 1
4	Delle File
	-
5	Gabriela S. Silva, Texas CSR, RPR, CRR
	Expiration Date: 01-31-23
6	U.S. Legal Support
	Firm Registration No.: 342
7	363 North Sam Houston Parkway E, Suite 1200
	Houston, Texas 77069
8	(361)883-1716
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Exhibit 22

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO, et al.,)
Plaintiffs,)
V.) Case No. 5:21-cv-844 (XR) (Consolidated Cases)
STATE OF TEXAS, et al.,)
Defendants.)

ORAL DEPOSITION OF:

CHRISTINA ADKINS

April 11, 2023

Oral deposition of CHRISTINA ADKINS, produced as a witness at the instance of the plaintiffs, and duly sworn, was taken in the above-styled and numbered cause on the 11th day of April, 2023, before Patrick Stephens, Certified Court Reporter, at 209 W. 14th Street, Austin, Texas 78701.



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Kevin Zhen, LUPE Plaintiffs
Leigh Ann Tognetti, Hidalgo County
Lisa Cubriel, Bexar County
Mike Stewart, DOJ
Nina Perales, LUPE Plaintiffs
Omeed Aleraool, LULAC Plaintiffs
Wendy Olson, MFV Plaintiffs



Christina Adkins April 11, 2023
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1 Okay. And you said that you met with your attorneys. 0 Which attorneys did you meet with? 2 Kathleen Hunker. 3 Α 4 Q And no one else? 5 And he was there --Α THE WITNESS: I don't remember your name. 6 I'm 7 sorry. MR. SZUMANSKI: Ethan. 8 9 BY MS. YUN (resuming): 10 0 And ---- and our two other counsel, Adam Bitter. 11 Α 12 Okay. And no one else was there? Q 13 That's correct. Α 14 And when was that? 0 15 Α It was last Wednesday. 16 And there was only one session? Q 17 Uh-huh, yes. Α Did you review any documents in the course of your 18 Q preparation? 19 20 Α No. 21 Did you bring any documents with you? 22 I bought the Texas Election Code because I take Α No. 23 that everywhere with me. 24 Okay. Great. So since we last spoke in July 2022, 25 has your role in the Texas secretary of state's office changed?



1 Α It has. 0 And what is your current title? 3 My current title is acting director of elections. Α 4 And could you describe what that role currently Q 5 entails? Α So for the acting director of elections, I oversee the 6 entire elections division. 7 And so, previously, you were the legal director; 8 Q 9 correct? 10 Α That's correct. 11 And does someone else have that job now? Q 12 No. Α So do you have to do both of those jobs? 13 Q 14 Α To the best of my knowledge, yes --15 Q Okay. 16 -- for the time being. Α 17 Okay. Is someone going to be filling your old Q position -- or your previous position? 18 I'm not aware of any other changes that our current 19 Α 2.0 secretary is looking to make at this time. You know, this is an acting position, so it's -- it's temporary. 21 2.2 Okay. And what -- so who do you report to in your new Q 23 role?



Secretary of State, Joe Esparza, and then beyond that, the

I would say my immediate supervisor is the Deputy

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1 secretary of state's office? 2 MS. HUNKER: Objection, form. 3 BY THE WITNESS (resuming): So there are two different types of data groups that Α 4 5 -- that are transferred to us: Those where the individual indicates they want to update their registration. That comes to 6 us and is passed through to the counties so that they can update a registration; and then in addition to that, we get some other 8 data from DPS on a daily basis, other types of updates are sent 10 our way, and as far as, like, the details on what those updates -- all the data that's contained in them, that information I 11

don't have. That would be a question for Kristi Hart.

Q Got it. Does your office have any plans -- so it is my understanding, and correct me if I'm wrong, that the TEAM layout does not include -- has only one field for state ID number, so it cannot hold multiple ID numbers for a single voter. Does your office have any plans to update that layout so that a voter registration record can hold multiple ID numbers?

A I don't believe so.

Q Okay. And if any new state ID number is not reflected in TEAM, that would not be transferred -- that number -- new number would not be transferred to the counties; is that right?

MS. HUNKER: Objection, form.

24 BY THE WITNESS (resuming):

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A Can you repeat the question?



Page 25

1 | moment to read through the second E-mail of this document.

A (Reviewing.)

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- Q Okay. Could you tell me what this document is?
- A This appears to be an E-mail that was sent to our office regarding a ballot-by-mail application issue and it also contains a response from our managing attorney.
- Q Could you -- so let's go to the first paragraph of Ms. Catherine Martin's E-mail, which is towards the bottom of the first page. Could you describe the problem that Ms. Martin's daughter appears to have experienced during the general election in 2022?
- A It appears as though Ms. Martin's daughter was applying for a ballot by mail. On the application form, she listed her driver's license number but did not list her Social Security number, and the county -- Comal County indicated that they did not have her driver's license number, so her application for ballot by mail would be rejected on the grounds it was missing that -- that number -- the personal identification number.
- Q And it appears that Ms. Martin described the instruction on the ABBM application -- or the ABBM as very misleading. Do you see that?
 - A I see that.
- Q Do you agree that it's misleading?
- MS. HUNKER: Objection to form.



Page 26

1 BY THE WITNESS (resuming):

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- 2 A I think that the instruction on the form state what -- 3 states what the law requires that it state.
 - Q So do you agree that it's misleading or do you not agree that it's misleading?
- A I think that it states what the law requires. That's 7 -- that's all I can put on the form.
- Q Did your office consider any changes to these instructions during the general election period?
- 10 A No, because there have been no subsequent legislative 11 sessions that would have given us the ability to change the 12 language.
- Q Understood. Thank you. And for the carrier envelope
 -- well, I'll mark this and make sure it's in English. Exhibit
 Number 5 is being handed over here. Can you tell me what this
 document is?
 - A This appears to be a printed copy of the text of a ballot-by-mail envelope, what we refer to as the carrier envelope.
- Q And what version is this as far as you can tell from the first page?
- 22 A This is the one that was revised and issued in July 23 2022.
- Q So what changes were made during that iteration of this form?



Page 35

A During the primary election, yes. You know, as we were working with counties for implementation of kind of these components, you know, there was a lot of discussion on -- on, again, best practices or recommendations, and so there were a number of counties that reached out to us with this idea or having us take a look at some of their sample forms. I don't recall a lot of questions like that leading up to the November election. At that point, if counties found something that worked for them or worked for neighboring counties, oftentimes they made those connections on their own.

11 | Q Okay.

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- A Texas is very decentralized. You know, elections are run by the counties, not the state, so...
- Q And there is an official form from your office that -I'm not sure if you would describe it as an insert, but a piece
 of paper that is included with mail ballot -- with the mail -with the carrier envelope; is that right?
- 18 A Yes. We call it the carrier insert.
- 19 Q Oh, okay.
- 20 A Yes.
- 21 Q So you do call it an insert.
- 22 A It -- it has a much longer title, but --
- 23 Q Right.
- 24 A -- we really refer to it as the carrier insert.
 - Q Yes. I don't want to mischaracterize, but thank you.



- 1 Okay. I will mark that. One second. I'm handing you what's
- been marked as Exhibit 7. And is this the carrier insert that
- 3 you were referring to just now?
- Yes, this appears to be the carrier insert. 4 Α
- 5 Okay. So it's Form Number 6-17; is that right? 0
- That's correct. 6 Α
- 7 And so based on the date that's up at the top, is this 0 the most up-to-date version of this document? 8
- 9 Α The date on here indicates this was issued in January 10 of 2022. I can't recall if we did an updated one for any reason 11 in June -- or July when we updated the carrier envelope.
- 12 Q Okay. So you do not recall if there was -- if there is another version of this. 13
- 14 Α I just can't remember at this time.
- 15 0 Okay.
- 16 Yeah. If we had updated it, it would have been Α 17 updated around the same time the carrier envelope was updated, but I don't remember if this necessitated any changes. 18
- Okay. Do you mind checking during our break whether 19 0 there is another version of this? 20
- 21 Α Sure.
- 2.2 And then we can come back to it. Q
- 23 Α Sure.
- 24 So this form, if you look at Number 1 under the first 0 25 paragraph, Required Information Under Section 86.002 of the



Page 37

1 election code, this form -- that paragraph does not or anywhere else does not suggest that the voter must -- or sorry. Scratch all of that. So this form does not suggest to voters that they 3 may or it is recommended that they put down both their driver's 5 license number and the last four digits of their Social; 6 correct? 7 That's correct. Α Does the statute prescribe what must be in the carrier 8 0 insert? 10 Α It does. Everything that's on this form is required 11 by law. 12 And therefore -- well, so I'm going to ask why does it Q -- why does the form not suggest the recommendation? 13 14 Α The form does not contain that recommendation because 15 the -- the -- all of the items contained on this document are 16 items that are required by statute, and the specific provision 17 dealing with personal identification numbers is very clear on what it's -- on what it's asking the voter for, and so we can't 18 modify or waive or change the requirements of law with respect 19 20 to those instructions. Would your office be allowed to, say, put a red box 21 around Paragraph Number 1 under the election code? 22 23 MS. HUNKER: Objection, form.



I think we can put a box on the form.

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BY THE WITNESS (resuming):

Sure.

Α

Page 38

Q Okay. But your testimony is that you cannot change any of the text.

A The language outlines the legal requirements that are prescribed by law, and we can't modify those legal requirements.

Q Is this form going to -- well, we can circle back to it if there's another more up-to-date form, but whatever the up-to-date form that was being used during the November election, is that form going -- do you have any plans to change that form?

A Any changes to any out of our balloting materials are going to be contingent on the legislative session.

- Q And absent any legislative changes, you do not have any plans to update it.
 - A At this time, no.
- Q And I think we can do another small section before we take a break, if that's okay with you.
 - A Of course.

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- 18 Q Okay. I'm going to hand you what's been marked as 19 Exhibit 8.
 - A (Reviewing.) Okay.
 - Q What is this document?
 - A This appears to be some E-mail correspondence between myself and two individuals in the Denton County Elections Office regarding potential changes to the carrier envelope, and then it looks like they inquired about some other forms as well.



Page 39

Q So Ms. Brandy Grimes is from Denton County; is that right?

A That's correct.

Q And do you recall this exchange?

A I do.

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Q And I would like to direct your attention to the third E-mail from the top, starting at the bottom of Page 1. So what was Ms. Grimes' proposal for the ABBM rejection notice in that E-mail -- in that third E-mail?

A She was -- so we -- initially, we're talking about the carrier envelope and then we pivoted to a different form, the rejection notice, and we were at that time looking at modifying the rejection notice so that we could identify -- give the voter more details about what the rejection was for with respect to the ID number, and so we were looking at different design options there and she was writing back -- I think giving her suggestion on the form -- on the potential change.

Q And she says -- and I'm reading from the bottom of Page 1: We both know that they can't remember how they filled out the defective application once it's sent. Do you agree with that comment?

A Do I agree with -- that a voter may not remember what's on a defective application form?

Q Once it's been sent.

A I think that's possible.



1 So would you agree that not remembering how -- or which number they put down once the ABBM has been sent would make cure difficult? 3 MS. HUNKER: Objection, form. 4 5 BY THE WITNESS (resuming): It depends on the reason for rejection, it depends on, 6 7 you know, where were we are in the process. I -- I think there's a lot of variables there that would impact whether it's 8 difficult to remedy the situation. 10 Okay. So if the -- if the situation is that they put one number down that is not associated with their voter 11 12 registration record, not remembering which number and hearing back from the county that, Your number is not associated with 13 14 the record, but we don't remember which one you put down, that would make the cure difficult; would it not? 15 16 MS. HUNKER: Objection, form. 17 BY THE WITNESS (resuming): I -- again, I think it's possible. It also depends on 18 19 the mechanism used for remedying the cure. If they're logging 20 into the ballot-by-mail tracker to initiate the cure, then it doesn't matter what number they put down originally because 21 they're able to validate both of their identification numbers 22 23 with the tracker, so I think in that sense it's not very hard. 24 If they're filling out a new application form, it just depends



on what information was provided to them by the county and

Page 41

whether or not the voter opted to fill in both boxes.

Q And so as of -- at this time and as of now, these -- the rejection form does not provide any information on which number was originally sent in; correct?

A That's correct.

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- Q And it does not recommend that you put both numbers down; correct?
 - A That's correct.
 - Q And what happened to this proposal from Ms. Grimes?
- A A lot of counties objected to the proposal. They didn't like it. They said that they believed it was going to be more confusing to voters, that they might misread the form, and so we didn't move forward with it at that time.
- Q Do you know if any counties have any practice to let the voter know which number was associated with -- is associated with their registration record?
- A I have heard that some counties will highlight the missing information on a new -- if we're talking about an application for ballot-by-mail form, they would highlight the missing information on the new form to give the voter the chance to fill in the required boxes or they would put in some additional information indicating what it is they needed.
- Q So that's a county-by-county practice.
 - A Correct.
 - Q So is the reason for not adopting this revision of



Page 56

processed with that updated information. So regardless of what they pick at the top, if they provide a new number in Box 9, that'll get updated in the system.

Q Okay. But they must check one -- right? -- because it says it must be completed before proceeding.

A It says the questions must be completed before proceeding, but I -- I don't think that you would -- if the voter doesn't select that but -- but they otherwise complete the form with all of the substantive information, it going to be processed.

Q Okay. And I'm marking another exhibit, 12. What is this document?

A This appears to be an E-mail that was sent to our office via VoteTexas.gov, which is an SOS website, and a response providing information on how to update -- or -- or check information related to a person's ballot -- voted ballot.

Q So it says in the second paragraph of the top E-mail that you must deliver the corrected -- the completed corrective action form in person to the early-voting clerk's office by the end of business today, Monday, November 14th, 2022; correct?

A Uh-huh.

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- Q And it was sent at 5:54 p.m. on November 14th.
- 23 A That's correct.
 - Q So would you agree that for some voters would not be able to cure in time and have their ballots counted due to when



Page 57

1 they are notified of their ballot defect and/or when they find out how to cure their ID requirement defect? 3 MS. HUNKER: Objection, form. BY THE WITNESS (resuming): 4 5 Could you repeat the question? Sure. Would you agree that for some voters that would 6 0 7 not -- whose mail ballot has been rejected because of the ID requirements under SB1 would not be able to cure in time due to 8 the timing of when they're notified or when they find out how to 10 cure their ballot? 11 MS. HUNKER: Objection, form. 12 BY THE WITNESS (resuming): 13 Α Sure. 14 So we spoke briefly about changing the forms and 0 15 legislative changes. I know we keep coming back to it. So you said that there were things that you could do that the law does 16 17 allow your office to do without any substantive law changes. is it your testimony that your office cannot change the form to 18 reflect the guidance that they are allowed to or recommended to 19 20 put both ID numbers down in any of the forms that your office 21 promulgates? 22 MS. HUNKER: Objection, form; compound and calls 23 for a legal conclusion. 24 BY THE WITNESS (resuming):



I think that our office has to be very careful about

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Page 58

not doing anything that would be consider waiving, modifying or suspending state law, and so when it comes to instructions to a voter, we have to follow the statute to the T. So we have to be very careful about that.

Q So informal recommendations given by your office when someone E-mails them can say, You are allowed to put both numbers down; is that right?

A Yes.

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Q But that same guidance cannot be reflected in any of the forms; is that correct?

A I think with our current forms, we're tracking the statute as much as we can with -- with actual text relating to the statute because that's what we have to do, but because the instructions to the early-voting clerk or the ballot board are different than what the instructions are to the voter, I think that we can tell voters, You can add both numbers, since we're talking about ID requirements, because the ballot board instructions on what they do with that information is different.

Q So just to bring it all together, absent any substantive legal changes, the forms from your office are not going to in the future reflect the guidance that is recommended or permissible to put both numbers down. Is that fair?

MS. HUNKER: Objection, form.

BY THE WITNESS (resuming):

A I would say at this point we're always going to be



Page 59

1 careful in making sure that the actual forms are based on the law themselves, but we may always provide some supplemental instructions as the, you know, instructions are different, you 3 4 know, for the ballot board and the early-voting clerk so when 5 we're communicating with voters about the forms -- and I think more specifically when the counties are communicating with 6 7 voters about those forms, they may provide some context, additional information. 8 But it is not in your office's plan to change any 9 10 forms that your office officially authorizes to reflect that 11 quidance; is that right? 12 Α At this time --13 MS. HUNKER: Objection to form; asked and 14 answered. 15 BY THE WITNESS (resuming): 16 Α At this time, no. 17 Are you aware of any mail-voting form-related changes being discussed by the legislature at this time -- being 18 considered by the legislature? 19 2.0 MS. HUNKER: Objection, form. BY THE WITNESS (resuming): 21 2.2 Α There -- I believe there are a couple of those that 23 could potentially modify some of the mail balloting --24 ballot-by-mail materials. 25 Okay. Could you tell me about those? Q



1 to the best of your knowledge, it was completed in -- for the

2 | election cycle ending in 2022, which was -- the data was due in

3 | March of 2023; is that right?

4 MS. HUNKER: Objection, form.

5 BY THE WITNESS (resuming):

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A I -- I believe we did submit the data for the state.

Q Okay. And were you already the acting director or were you not? If you remember.

A I have no idea.

10 Q Okay. But you were not personally involved in the 11 certification.

12 A No, ma'am.

MS. YUN: Okay. I believe we are very close to

14 being done. I think I'm just going to look over my notes.

15 Actually, this is a good time to take a break, and then I may

16 have a few more questions after the break or I may not, but I

17 believe other folks on Zoom probably do have questions.

THE WITNESS: Okay.

19 MS. YUN: So we'll take a 10-minute break.

20 (A recess was taken from 11:18 a.m. to

21 | 11:34 a.m.)

22 BY MS. YUN (resuming):

Q Okay, Ms. Adkins. So before we -- maybe two breaks ago, I asked you whether the carrier insert form that I showed you that was State 31647, whether that was the most up-to-date



Page 77

version of the form, and you -- did you have a chance to check
whether it was?

A I did check, and it does appear as that -- that that is the most recent version.

MS. YUN: Okay. Great. Thank you. I have no further questions, and I will pass the witness. And I believe some folks on the Zoom call would like to ask questions.

MS. HUNKER: Are there any other attorneys from the plaintiffs who would like to ask questions of the witness?

MS. PERALES: (Inaudible.)

MS. HUNKER: Nina, you are muted.

MS. PERALES: (Inaudible.)

MS. HUNKER: Your microphone is still not

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THE WITNESS: Yeah, we're unmuted on this end.

MS. HUNKER: Oh, hold up, hold up. This might be

my fault. (Adjusts audio.)

THE WITNESS: Oh, there we go.

19 MS. HUNKER: Sorry. I had you on -- I had you on

20 | mute.

MS. PERALES: Thank you. I was trying to figure out how to put in the chat that I think you had muted me, and for once at least, it wasn't my fault. I only wanted to say that this is Ms. Nina Perales or the LUPE plaintiffs, and I have no questions for the witness.



Christina Adkins April 11, 2023
Page 80

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO, et al.,)))
Plaintiffs,	,))
V.) Case No. 5:21-cv-844 (XR) (Consolidated Cases)
STATE OF TEXAS, et al.,)
Defendants.	,)

REPORTER'S CERTIFICATE
ORAL DEPOSITION OF CHRISTINA ADKINS
APRIL 11, 2023

I, Patrick A. Stephens, Certified National Court Reporter, hereby certify to the following:

That the witness, CHRISTINA ADKINS, was duly sworn and that the transcript of the examination is a true record of the testimony given by the witness;

That pursuant to information given to the examination officer at the time said testimony was taken, the following includes all parties of record and the amount of time used by each party at the time of the examination:



Christina Adkins April 11, 2023
Page 81

Ms. Jennifer J. Yun (1 hr 55 mins)

Attorney for Department of Justice

Ms. Kathleen T. Hunker (0 mins) Attorney for State Defendants

I further certify that I am neither counsel for, related to, nor employed by any of the parties in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of this action.

Certified to by me on this 17th day of April, 2023.

*

*

*

*

PATRICK A. STEPHENS NVRA NO. 5462 Expiration: 06/01/2023 Magna Legal Services Firm Registration No.633 16414 San Pedro Ave., Ste. 900 San Antonio, TX 78232



Exhibit 23

Roberto Benavides March 30, 2023

1	IN THE UNITED STATES DISTRICT COURT
2	FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION
3	LA UNION DEL PUEBLO * ENTERO, et al. *
4	* * *
5	VS. * Civil Action No. * 5:51-cv-00844-XR
6	*
7	GREGORY W. ABBOTT, et al. *
8	*************
9	ORAL AND VIDEOTAPED DEPOSITION OF
10	ROBERTO BENAVIDES MARCH 30, 2023
11	(Reported Remotely)
12	*************
13	ORAL AND VIDEOTAPED DEPOSITION of ROBERTO
14	BENAVIDES, produced as a witness at the instance of the Defendants, and duly sworn, was taken remotely in the above-styled and numbered cause on the 30th day of
15	March, 2023, between the hours of 9:03 a.m. and 11:06 a.m., before TRICIA FOX WILLIAMS, CSR, in and for
16	the State of Texas, reported by machine shorthand, with
17	the witness located in Austin, Texas, in accordance with the Federal Rules of Civil Procedure and the provisions
18	stated on the record or attached hereto.
19	
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1 APPEARANCES (All appearances via videoconference) 2 3 COUNSEL FOR THE PLAINTIFFS: 4 MS. VERONIKAH WARMS MR. ZACHARY DOLLING MR. HANI MIRZA 5 Texas Civil Rights Project 1405 Montopolis Drive 6 Austin, Texas 78741 7 (512)474-5073veronikah@texascivilrightsproject.org 8 9 COUNSEL FOR THE PLAINTIFFS: 10 MS. LUCIA ROMANO MR. PETER HOFER 11 Disability Rights Texas 2222 W. Braker Lane 12 Austin, Texas 78758-1024 (512)454-481613 lromano@drtx.org 14 COUNSEL FOR THE PLAINTIFFS: 15 MS. DANA PAIKOWSKY 16 US Department of Justice - Civil Rights Division 150 M Street NE 17 Washington, DC 20002 (202)514 - 384718 dana.paikowsky@usdoj.gov 19 COUNSEL FOR THE DEFENDANTS: 20 MR. DAVID BRYANT 21 MR. ZACHARY BERG Office of the Texas Attorney General 22 300 W. 15th Street Austin, Texas 78701 23 (512)574-1514david.bryant@oag.texas.gov 24 zachary.berg@oag.texas.gov 25



1	APPEARANCES CONTINUED
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17	skenny@jonesday.com
18	ALSO PRESENT:
19	MS. ROSIE JONES, Videographer
20	
21	
22	
23	
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1 the United States. Are we on the record right now? Can we go off the record one second? THE VIDEOGRAPHER: Yes. The time is 3 9:04 a.m., we're off the record. 4 5 (Break from 9:04 a.m. to 9:06 a.m.) THE VIDEOGRAPHER: Time is 9:06 a.m., 6 7 we're on the record. Will the court reporter please swear in the witness. 8 9 THE REPORTER: My name is Tricia Williams, Texas CSR No. 8273, I am administering the oath and 10 reporting the deposition remotely by stenographic means 11 12 from my residence in New Braunfels, Texas. The witness is located in Austin, Texas. Mr. Benavides, will you 13 14 raise your right hand? 15 ROBERTO BENAVIDES, 16 having been duly sworn, testified as follows: 17 EXAMINATION BY MR. BRYANT: 18 19 Mr. Benavides, my name is David Bryant, I 2.0 represent the state defendants in this action. What's your current residence address? 21 2.2 8010 Briarton Drive, Austin, Texas. Α. 23 And how long has that been your address? 0. Since 1997. 24 Α.



Your name was disclosed in this litigation as

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Q.

Roberto Benavides March 30, 2023

1 | Q. Okay.

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- A. I don't know.
- Q. And did you have any confusion or questions
 when you filled out the mail in ballots? And when I say
 you, I mean you or your wife.
 - A. No, we didn't have any problems.
 - Q. Okay. And did you -- you promptly mail in those mail in ballots after you filled them out?
- 9 A. Yes.
- Q. About how long would that time interval be between when you filled them out and when you mailed them in October of 2022?
- 13 A. Same day or the next day.
- Q. Okay. And when you prepared your mail in ballot, did you provide some identification information on the ballot and/or the envelope?
- $17 \mid A.$ Yes, we did.
- Q. And what information did you personally provide related to your mail in ballot in October 2022?
- A. The voter ID number that you get with your registration card, the driver's license number, and the last four numbers of my social security card.
- Q. Okay. And how long, approximately, had you had that driver's license?
 - A. For the last -- we moved here in '93, '94. So



almost going on 30 years. 29 years.

Q. Had you ever had any other Texas driver's licenses other than the one that you were using and provided on your ballot or envelope in October 2022?

- A. No, that's the only license that I've ever had.
- Q. Prior to casting your mail in ballot, did you contact, either directly or online, anybody connected with the election process in Travis County?
 - A. No, I did not.
- Q. When you cast your ballot, at least the first time, did you feel that you understood the requirements and had complied with them?
- 13 | A. Yes.

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- Q. All right. What's the next thing that you heard after you and your wife mailed in your ballots relating to those ballots?
- A. I'm not sure how long it was, maybe two weeks later I received a notice in the mail that my ballot was rejected because the driver's license number did not match what they had on file and what my actual license number is did not match. So I requested a second ballot.
- Q. When you received that notice, did you have or try to have any conversations with anyone at Travis County related to the election process?



Roberto Benavides March 30, 2023

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Page 24

A. No, because I thought at my age and everything, it would be very simple for me to write maybe a three instead of an eight or a five. So I thought I probably did something wrong, especially kind of stressed out and stuff. So I figured I must have wrote the wrong number, so I'll just try again.

- Q. Okay. And how did you request an additional ballot?
- 9 A. I'm not sure if I went online again or if I
 10 called. I can't remember.
 - Q. This mail notice related to the mail in ballot that you received in October or November of 2022, did that relate only to your ballot, or did your wife also receive a notice related to her ballot?
 - A. Only myself. My wife had no problems at all.
 - Q. And after you made a request for a second -strike that. When you received a notice relating to
 your initial mail in ballot, did it provide any
 information to you as to how to cure any problem that
 might have existed?
 - A. Not that I'm aware of. Just a very simple -just a checkmark that something didn't match, you know,
 like this didn't match that, so -- according to their
 records. So that was pretty simple.
 - Q. Okay. I understand it provided the information



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A. Yes, when Dana called me at home and she said that there had been a problem with the ballot.

- Q. Approximately when was that?
- A. Two months ago. Maybe two months ago, three, I don't know.
- Q. And what other conversation did you have with Dana at that time?
- A. I just told her I was not aware that there had been problems. I knew that I had voted twice, but I didn't know that, you know, there was other problems.
- Q. Okay. All right. You mentioned that you learned something about whether the initial rejection was because of an error in your writing down one of your numbers, or an error in the state database that contained those numbers; is that correct?
 - A. That's correct.
 - Q. When did you learn of that problem?
 - A. About three or four days ago.
 - Q. Okay. And what did you learn at that time?
- A. I called the voter's office, and the lady said that their records show that my driver's license number ends in a five, and my actual driver's license number ends in a four.
 - Q. Did you have any conversation with the election



1 (Break from 9:43 a.m. to 9:53 a.m.)

THE VIDEOGRAPHER: Time is 9:53 a.m.,

3 | we're on the record.

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- Q. (By Mr. Bryant) Thank you. Mr. Benavides, what was your wife's name?
 - A. Christine Ann, A-N-N, Benavides.
 - O. And what was the date of her death?
- 8 A. October 16th, 2022.
- 9 Q. If I understood your testimony earlier, when 10 you had a conversation with someone with the Travis
- 11 | County election authorities, they verified to you that
- 12 the social -- your social security numbers were
- 13 correctly recorded in those records, and they -- the
- 14 numbers you put on your ballots, your mail in ballots in
- 15 | 2022 match the social security numbers that Travis
- 16 | County had for you.
- 17 | A. Yes.
- Q. Did anybody with the Travis County election authorities tell you whether your 2022 general election
- 20 | ballot had been counted or not?
- 21 A. Yes. It had -- they told me it was not
- 22 | counted, because by the time they received it, which was
- 23 October the 28th, it was too late, they were only taking
- 24 | in person delivery.

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Q. Is it correct then that your second mail in



ballot was not counted only because it arrived past the
date when mail in ballots received by mail could be
counted?

A. That's the way I understood it.

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- Q. Okay. And so is it your understanding that your mail in ballot for the November 2022 general election was not rejected or not counted because of the difference between the driver's license number on your driver's license and the driver's license number in the election records?
- A. The lady at the voter's office said she's going to mail me a form to make sure that any future elections, the correct number -- the number is correct.

 But no -- I didn't know that my ballot had not been counted, so I didn't know.
- Q. Okay. Today you have been told by the attorney for the United States that your ballot has not been counted, or wasn't counted; is that right?
- MS. WARMS: Objection, privilege. Don't answer.
- Q. (By Mr. Bryant) Is -- you referred to her earlier as Dana, who's with us here today. Is she your attorney?
- THE WITNESS: Are you?
- MS. PAIKOWSKY: No.



Roberto Benavides March 30, 2023

Page 51

- Q. Do you have any plans to vote either by mail in ballot or in person in future elections?
- MS. WARMS: Objection, form. You can
- 4 | answer.
- 5 A. I don't know. It all depends how I -- my
- 6 health. I'm almost 76 years old, so.
- 7 Q. (By Mr. Bryant) In connection with the
- 8 | November 2022 general election -- you may have testified
- 9 to this, I just don't remember the answer. What is
- 10 the -- what's your best recollection of the date when
- 11 | you mailed the second mail in ballot?
- 12 A. Must have been like the middle of October
- 13 | sometime, but I don't remember the exact date.
- 14 Q. Okay. How did you mail it?
- 15 A. Just the local neighborhood mailbox. We have
- 16 one of those big, you know, cluster boxes, and --
- 17 Q. You put it in that neighborhood mailbox?
- 18 | A. Yes.
- 19 Q. So as far as you know, was it properly
- 20 | addressed and stamped?
- 21 A. Yes.

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- 22 Q. And can you say that you mailed that second
- 23 | mail in ballot prior to October 20th?
- 24 A. I don't remember.
 - Q. Is it possible that you mailed it a little bit



1			СН	ANGES 1	AND S	SIGNATUR	E		
2	WITNESS	NAME:	ROBER'	TO BEN?	AVIDI	ES			
3	DATE OF	DEPOS	ITION:	MARCH	30,	2023			
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1	I, ROBERTO BENAVIDES, have read the foregoing						
2	deposition and hereby affix my signature that same is						
3	true and correct, except as noted above.						
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7	ROBERTO BENAVIDES						
8	ROBERIO BENAVIDES						
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12	THE STATE OF TEXAS: COUNTY OF:						
13	Before me,, on this day						
14	personally appeared ROBERTO BENAVIDES, known to me (or proved to me under oath or through						
15) (description of identity card or other document) to be the person whose name is subscribed to						
16	the foregoing instrument and acknowledged to me that they executed the same for the purposes and						
17							
18	day of, 2023.						
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22	NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS						
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1	IN THE UNITED STATES DISTRICT COURT						
_	FOR THE WESTERN DISTRICT OF TEXAS						
2	SAN ANTONIO DIVISION						
3	LA UNION DEL PUEBLO * ENTERO, et al. *						
4	* *						
5	VS. * Civil Action No. * 5:51-cv-00844-XR						
6	* *						
7	GREGORY W. ABBOTT, et al. *						
8	*****************						
9	REPORTER'S CERTIFICATION DEPOSITION OF ROBERTO BENAVIDES						
	MARCH 30, 2023						
LO	(Reported Remotely)						
L1	****************						
L2	I, TRICIA FOX WILLIAMS, Certified Shorthand						
L3	Reporter in and for the State of Texas, hereby certify to the following:						
L4 L5	That the witness, ROBERTO BENAVIDES, was duly sworn by the officer and that the transcript of the oral deposition is a true record of the testimony given by						
L6	the witness;						
	That the deposition transcript was submitted on						
L7	to the witness or to the attorney for the witness for examination, signature and return to me by						
L8	· · · · · · · · · · · · · · · · · · ·						
L9	That the amount of time used by each party at						
20	the deposition is as follows:						
21	MR. DAVID BRYANT - 01 HOURS:22 MINUTE(S)						
22							
23							
24							
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That pursuant to information given to the 1 deposition officer at the time said testimony was taken, 2 the following includes counsel for all parties of record: 3 MS. VERONIKAH WARMS, Attorney for Plaintiffs MR. ZACHARY DOLLING, Attorney for Plaintiffs 4 MS. DANA PAIKOWSKY, Attorney for Plaintiffs MS. LUCIA ROMANO, Attorney for Plaintiffs 5 MR. HANI MIRZA, Attorney for Plaintiffs MR. PETER HOFER, Attorney for Plaintiffs 6 MS. LISA CUBRIEL, Attorney for Defendants 7 MS. JOSEPHINE RAMIREZ-SOLIS, Attorney for Defendants MR. STEPHEN KENNY, Attorney for Intervenor 8 Defendants MR. DAVID BRYANT, Attorney for Defendants 9 MR. ZACHARY BERG, Attorney for Defendants 10 I further certify that I am neither counsel for, related to, nor employed by any of the parties or 11 attorneys in the action in which this proceeding was 12 taken, and further that I am not financially or otherwise interested in the outcome of the action. 13 Further certification requirements pursuant to Rule 203 of TRCP will be certified to after they have 14 occurred. 15 Certified to by me this _____ of 16 ____, 2023. 17 18 19 TRICIA FOX WILLIAMS 20 Certified Court Reporter 21 Certification Number: 8273 Date of Expiration: 10/31/2024 22 Firm Registration Number: 633 Business Address: Magna Legal Services 23 16414 San Pedro Ave., Suite 900 San Antonio, Texas 78232 24 (866)672 - 788025



Exhibit 24

Bernadette Maloney April 20, 2023

IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION					
LA UNION DEL PUEBLO ENTERO, et al.,					
Plaintiffs,)					
V.)	Case No. 5:21-cv-844-XR (LEAD CASE)				
GREGORY W. ABBOTT, et al.,					
Defendants.)					
OCA-GREATER HOUSTON, et al.,					
Plaintiffs,					
V.)	Case No. 1:21-cv-780-XR				
JANE NELSON, et al.,					
Defendants.)					
HOUSTON AREA URBAN LEAGUE,) et al.,					
Plaintiffs,					
V.)	Case No. 5:21-cv-848-XR				
GREGORY WAYNE ABBOTT, et al.,					
Defendants.)					



LULAC TEXAS, et al.,	
Plaintiffs,	
V.) Case No. 1:21-cv-0786-XR
JANE NELSON, et al.,	
Defendants.)
MI FAMILIA VOTA, et al.,))
Plaintiffs,))
V.) Case No. 5:21-cv-0920-XR
GREG ABBOTT, et al.,))
Defendants.))
UNITED STATES OF AMERICA,))
Plaintiff,	
V.) Case No. 5:21-cv-1085-XR
THE STATE OF TEXAS, et al.,	
Defendants.))



Bernadette Maloney April 20, 2023

ORAL & VIDEO DEPOSITION OF:

BERNADETTE MALONEY

April 20, 2023

Oral & video deposition of BERNADETTE MALONEY,

produced as a witness at the instance of the defendants,

and duly sworn, was taken in the above-styled and numbered

cause on the 20th day of April, 2023, before

Patrick Stephens, Certified Court Reporter, conducted

remotely via Zoom.



APPEARANCES

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1 Α No. 2 Have you reviewed any documents in this case such as the filing -- such as the plaintiffs' second-amended complaints? 3 4 Α No. 5 Have you reviewed Senate Bill 1 prior to this deposition? 6 7 Α No. All right. Now, Ms. Maloney, just kind of some 8 0 background information about you. We're going to switch to that 10 What is your current home address? My current home address is 10517 Grand Oak Circle, 11 Α 12 Austin, Texas 78750. 13 What county is that in? 0 14 Α Travis. How long have you lived there? 15 0 16 Oh, three years. Α 17 Three years, you said? Q 18 Α Yes. 19 Does anybody else live there with you? 0 20 Yes. Α 21 Who is that? 0 22 Marge (ph) Waley. Α How do you spell that? 23 Q 24 W-a-1-e-y. Α 25 And what is your relation to them? Q



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1 Α A friend. 2 Friend. How long has -- it's -- it's Wally; right? 3 Is that how you say it? 4 Waley. Α 5 Waley. How long has Waley lived there with you? Well, she's lived there longer than me. She's lived 6 Α 7 there, I would say, close to 20 years. Does Waley own the --8 0 9 Α Yes. 10 -- residence there? 0 11 Α Yes. 12 Miss -- Ms. Maloney, when were you born? Q 13 September 22nd, 1957. Α 14 I know they usually tell you don't ever ask a --0 15 someone's age, but fortunately in depositions, I'm able to do 16 that, so thank you. Now, where were you born, Ms. Maloney? 17 Brooklyn, New York. Α So how long did you live in Brooklyn, New York? 18 Q 19 Α Four years. 20 After living in Brooklyn, New York, where did you 21 travel to after that? 22 Queens, New York. Α 23 And after that? Q 24 Mullaghbawn (ph), County Cavan, Ireland. Α



Oh, wow. How long did you live in Ireland?

25

Q

Bernadette Maloney April 20, 2023

1 0 Pennsylvania? Uh-huh. Α 3 How long were you in Pennsylvania? 0 4 Α Six years. 5 Is there any particular reason why you went to Pennsylvania? 6 7 Well, to work, to go to school. Α Okay. After Pennsylvania, where did you move to after 8 0 9 that? 10 Α Austin, Texas. 11 Austin, Texas. Have you lived in Austin, Texas, ever 0 12 since? 13 Α Yes. 14 So, Ms. Maloney, do you have a Texas driver's license 0 15 by chance? 16 Α I do. 17 How long have you had that? Q Since -- I got my Texas driver's license in 1985. 18 Α 19 Do you also have a Texas identification card? 0 20 Α No. 21 Is there any particular reason why you don't? Q 22 Because I have a driver's license. Α 23 Understandable. Ms. Maloney, are you registered to 0 24 vote in Texas? 25 Α Yes, I am.



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1 0 I'm assuming you're registered to vote in Travis County. 3 Α Yes. How long have you been registered to vote there? 4 Q 5 Since 1985. Α Are you familiar with where your polling location 6 7 typically is? MR. CAMPBELL-HARRIS: Objection to form. 8 9 Dayton Campbell-Harris. 10 BY MR. SZUMANKSI (resuming): 11 Ms. Maloney, you can answer. 0 12 I -- I really can't recall. Okay. Is there a particular reason? 13 0 14 Α Why I can't recall it? Because it's -- it's -- it's 15 been a while since I -- I -- usually when I'm -- usually I do early voting, and I would go from work, so whatever early-voting 16 17 place was open, I would go. Understood. Thank you, Ms. Maloney. Ms. Maloney --18 0 and since you have a Texas driver's license, just kind of 19 20 following up on that, I'm assuming you're currently able to 21 drive. 22 Α Yes. 23 Are you currently employed? Q 24 Α Yes. 25 Where do you work? Q



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1 Α I work for Carnegie. It's a continuing-education company. 3 How long have you worked there? 0 Two years. 4 Α 5 What got you into the continuing-education field? Q I've been a nurse 45 years, and they do continuing 6 7 education for doctors and for nurses, social workers, pharmacists -- you know, a lot of healthcare workers. 8 9 Ms. Maloney, you mentioned that you're a nurse for 45 0 10 years, so what type of education and training did you have past high school? 11 12 Α I have an associate's degree in nursing from Queensboro Community College, I have a bachelor's of nursing 13 14 from Gwynedd-Mercy College and I have a master's in nursing from the University of Texas at Austin. 15 16 And, Ms. Maloney, moving kind of a little bit away 17 from education and employment and that kind of thing, I want to -- I want to little -- learn a little bit more -- excuse me --18 about your family. Do you have any family? 19 20 I do. My mother is alive and is going to be 89 years 21 old next month. 2.2 Well, congratulations to your mother. Q 23 Yeah. Α



Do you take care of any of your family members?

24

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Α

My mom.

1 And where does your mom live now? 0 Α She lives in Bayside, Queens. She's still in Oueens, New York? 3 0 Yes. 4 Α How often do you take care of your mom? 5 Q Well, I share it with my sister, so it depends on 6 7 who's most available. Usually it falls on me. So every once in a while, my sister gives me a break. 8 So because, as you said, it all falls on you, can you 9 10 give me kind of a frequency of how many days out of the week or 11 how many weeks out of a month you typically take care of your 12 mom? I would say it -- it falls on me for probably two to 13 Α 14 three months at a time and then I get a break, get to go back to 15 Austin, and then my -- my sister has to leave my mom; I come back to New York. 16 17 And when you come back to Austin for those breaks, how Q long does that break usually last? 18 Sometimes I've been -- been there for a month, six 19 Α 20 weeks; sometimes I've been there for two weeks. It all depends. 21 So would it be fair to say that you spend most of your 0 time in New York taking care of your mom? 22 23 MR. CAMPBELL-HARRIS: Objection to form.



I would say that I would spend probably -- if I looked

BY THE WITNESS (resuming):

Α

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1 back since COVID has happened, I would say anywhere from five to 2 six months total.

- Q And so then that means your sister takes care of your mom during the other five or six months that --
 - A Right, right, we -- yeah.
- O Understood.
- A Yes, yeah.
- 8 O So --

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- 9 A We try to make it as fair as possible.
- 10 Q Understood. Understood. Ms. Maloney, are you a part of any nonprofit organizations?
- 12 | A No.
- Q Have you done any type of events or attended any type of events for nonprofit organizations?
- A No. I really -- I haven't been attending very many events at all since COVID, so...
- Q Before COVID, did you attend any events with nonprofit organizations in Texas?
- 19 A A few.
- 20 Q What type of events were those?
- A I've done, like, walks for different nonprofits, you know, to support them. I did one event for the Texas League of Women Voters for their 100th anniversary.
- Q Okay. So in addition to the Texas League of Women Voters nonprofit organization, would you mind telling me the



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BY MR. SZUMANSKI (resuming):

2 All right, Ms. Maloney. We just got back from break
3 and now we're back on the record. I just kind of wanted to do
4 some follow-up questions. We've made a lot of progress, so
5 hopefully we'll be done here soon and you can go back to your
6 daily life. So just a few follow-up questions, though. I want
7 to get more of an understanding about kind of some of the
8 problems you were having with the ballot tracker. So you said
9 that the second time you went on the ballot tracker -- and it
10 said that you were not registered to vote; right?

11 A Right.

1

- Q Okay. At any point in time did you receive a notice
 of defect of your mail-in ballot --
- 14 A Yes.
- 15 Q -- for the 2022 general election? Understood. When 16 did you receive that?
- 17 | A Late October.
- Q And did it explain what the defect was in your mail-in ballot?
- 20 | A I can't remember.
- 21 Q Do you remember if it was because it was late?
- 22 A No.

- Q Do you remember if it was because of the ID numbers you put on there?
 - A Can you explain which ID numbers you're talking about?



Q Sure. So you understand that when you submit a mail-in ballot and carrier envelope, you have to put one of your ID numbers on the carrier envelope; right?

A Right.

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- Q Did you put -- what number did you put? You don't have to tell me the numbers. Just -- did you put your Social Security number or your driver's license number?
- A I -- I did not.
 - Q Did not put which one?
- 10 A Either.
- 11 Q Either. What did -- what number did you put down?
- 12 A I put my voter's registration number.
- Q Understood. Why did you put your voter's registration number instead of your ID number or partial -- partial Social Security number?
 - A I didn't see on the envelope where it required the driver's license number or the Social Security number.
- Q So I'm assuming because you didn't see it, you did not put it the first time you submitted your mail-in ballot.
 - A Correct.
- Q Okay. After you had learned that there was a problem with your mail-in ballot the first time -- I believe you said in October -- did you see it after that or around that time?
 - A Did I see what?
 - Q So did you -- after you learned that there was a



1 defect with your mail-in ballot, did you then become aware at that time that you had to put an ID number or partial Social 3 Security number on the carrier envelope? 4 MR. CAMPBELL-HARRIS: Object to form. 5 BY MR. SZUMANSKI (resuming): You may answer, Ms. Maloney. 6 0 7 Yes. Α So I'm assuming after you learned of this defect, you 8 0 9 submitted a new -- a second mail-in ballot. 10 Α No. 11 No. Any particular reason why? 0 12 Because I entered the missing information on the ballot tracker. 13 14 0 And by missing information, you mean one of those ID 15 numbers; correct? 16 Α Correct. 17 And then after that, I'm assuming, is when you checked Q it again the second time and then learned that it said you were 18 -- it said that you were not registered to vote; right? Is that 19 the timeframe of events? 20 21 Α Yes. 2.2 So after you learned that the ballot tracker had said 23 you were not registered to vote, you then went to check your 24 voter-registration status in Texas; correct?



25

Α

Yes.

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1 And what did you learn when you checked back? 0

- That I was registered to vote.
- 3 And after you learned that you were registered to 0 4 vote, about how long after that did you start seeking help to 5 fix your mail-in ballot?
- Α I can't remember --6
- 7 Understood. 0
- -- exactly. 8 Α
- 9 Understood. Do you know if it was weeks or days? 0
- 10 Α Days.
- 11 Do you know if it was more than a week or less than a 0 12 week?
- Less than a week. 13 Α
- 14 When you received that notice of defect in October, do 0 15 you -- did it come with a voter-registration application?
- I don't recall. 16 Α
- 17 After learning that the ballot tracker had said you were not registered to vote, did you try to submit new 18 voter-registration --
- 20 Α No.

- 21 -- information? So you didn't update -- or added your 22 voter registration at all?
- No, I -- I didn't need to. 23 Α
- 24 And why do you think you didn't need to? 0
- 25 Α Because, as I said earlier, I went to the



voter-registration site and saw that I was registered to vote.

- Q Understood, understood. So, Ms. Maloney, have you become -- would you say that you are more aware of the voting process because of your experience in the 2022 general election and primary election?
- 6 MR. CAMPBELL-HARRIS: Objection to form.
- 7 BY THE WITNESS (resuming):

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- A Could you rephrase that question, please?
- 9 Q Sure. So now that you've been through the process of 10 voting by mail under SB1, since the Senate Bill 1 was passed, 11 would you agree with me that you have more knowledge about how
- 12 to vote by mail in future elections in Texas?
- 13 MR. CAMPBELL-HARRIS: Objection to form.
- 14 BY THE WITNESS (resuming):
- 15 A I don't know how to answer that question.
- Q Okay. Why do you not -- well, I want to make sure I'm helping you to -- to make sure we're both on the same page. So
- 18 | what can I do to help you understand this question -- or is
- 19 there a particular reason why you don't understand how to answer
- 20 | this question?
- 21 A It doesn't make sense to me, the question.
- Q So maybe I can rephrase it a little bit. We'll go bit
- 23 by bit maybe a little bit more. Maybe that will --
- 24 A Okay.

25

Q -- help you out. So in the 2022 general election, you



Bernadette Maloney April 20, 2023
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1 I, BERNADETTE MALONEY, have read the 2 foregoing deposition and hereby affix my signature that same is 3 true and correct, except as noted above. 4 5 6 BERNADETTE MALONEY, Witness 7 THE STATE OF _____ COUNTY OF 8 9 Before me, , on this day personally appeared BERNADETTE MALONEY, known to me (or proved 10 to me under oath of through 11) (description of identity card or other document) to be the person whose name 13 is subscribed to the foregoing instrument and acknowledged to 14 me that they executed the same for the purposes and 15 consideration therein expressed. Given under my hand and seal of office this 16 17 day of 18 19 20 21 NOTARY PUBLIC IN AND FOR 2.2 THE STATE OF 23 24 25



Bernadette Maloney April 20, 2023
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IN THE UNITED STATES DISTRICT COURT

	TRICT OF TEXAS IO DIVISION
LA UNION DEL PUEBLO ENTERO, et al.,)
Plaintiffs,)
V.) Case No. 5:21-cv-844-XR) (LEAD CASE)
GREGORY W. ABBOTT, et al.,)

Defendants.

REPORTER'S CERTIFICATE
ORAL & VIDEO DEPOSITION OF BERNADETTE MALONEY
APRIL 20, 2023

I, Patrick A. Stephens, Certified National Court Reporter, hereby certify to the following:

That the witness, BERNADETTE MALONEY, was duly sworn and that the transcript of the examination is a true record of the testimony given by the witness;

That pursuant to information given to the examination officer at the time said testimony was taken, the following includes all parties of record and the amount of time used by each party at the time of the examination:



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Mr. Ethan Szumanski (1 hr 20 mins)

Attorney for State Defendants

Mr. Dayton Campbell-Harris (3 mins) Attorney for ACLU Voting Rights Project

Ms. Veronikah Warms Attorney for Texas Civil Rights Project

I further certify that I am neither counsel for, related to, nor employed by any of the parties in the action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of this action.

Certified to by me on this 30th day of April, 2023.

*

*

*

*

PATRICK A. STEPHENS

NVRA NO. 5462

Expiration: 06/01/2023 Magna Legal Services Firm Registration No.633 16414 San Pedro Ave.,

Ste. 900

San Antonio, TX 78232



Exhibit 25

DECLARATION OF BERNADETTE MALONEY

My name is Bernadette Maloney. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge:

- 1. I am a resident of Austin, Texas, where I am an eligible voter.
- 2. I am registered to vote in Travis County, where Austin is located.
- 3. I turned 65 on September 22, 2022.
- 4. I first registered to vote in Texas in 1985. Since registering, I have voted for both Republican and Democratic candidates.
- 5. I have voted in nearly every Texas election for which I was eligible.
- 6. I have voted by mail consistently since 2020. I vote by mail because I am often outside my county, and because I am 65.
- 7. In October 2022, I requested a mail-in ballot sent to New York State, where I was taking care of my 89-year-old mother. I routinely look after my mother in New York for approximately five to six months out of the year.
- 8. When I received my mail-in ballot, I filled out all the provisions that I saw. I did not see that the carrier envelope required me to put my driver's license number or Social Security number under the flap. I inadvertently did not include that information as a result.
- 9. I received a notice from the Travis County Clerk on or about October 28, 2022 informing me that I left the required identification number off the ballot envelope.
 The notice is attached to this declaration as Exhibit A.

- 10. I reached out to my friend Mary Cullinane, who is a member of the League of Women Voters of Texas, and I asked her for advice about what to do when my ballot was rejected. Mary told me that I could correct the problem with my ballot online through the State's mail-in ballot tracker.
- 11. On or about October 29, 2023, I input my driver's license number into the mail-in ballot tracker.
- 12. About a week later, I used the mail-in ballot tracker to try to check the status of my ballot and the tracker reported that I was not registered to vote. As a result, I was unable to check the status of my ballot.
- 13. I confirmed through the Texas Secretary of State's website, ¹ that I was registered to vote in Travis County. I then called the Secretary of State's Office to see whether I could receive an update on my mail-in ballot's status. A Secretary of State representative told me that their office could not help me and that I had to contact Travis County.
- 14. When I called the Travis County office, I was informed that my ballot could not be counted because I had called two days after the deadline.
- 15. My experience with the absentee voting system in Texas left me feeling like I cannot successfully vote by mail in the future. The mail-in ballot tracker did not cure the problem with my ballot or correctly identify me as a registered voter. I

¹ https://teamrv-mvp.sos.texas.gov/MVP/mvp.do

worry whether my mail-in ballot will count in future elections. Voting in-person is not an option for me while I care for my mother out-of-state.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 24, 2023.

Bernaddle Malmuy
Bernadette Maloney

Exhibit 26

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF YI LU ZHAO

My name is Yi Lu Zhao. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge.

- I am a resident of Travis County, Texas and eligible to vote in Travis County, Texas.
- 2. I am 93 years old and have regularly voted since I was 62 years old.
- 3. I immigrated to the United States in January 1991.
- 4. In 1996 I became a citizen and that same year I registered to vote in Texas.
- 5. I am hard of hearing, and I have limited English skills.
- 6. I have regularly voted by mail for the last two decades.
- 7. I do not have a Texas Driver's License. I have a Texas ID and a voter registration card.

- 8. In early January 2022 I applied by mail for a vote by mail ballot for the March 2022 primary. I filled in the last four digits of my social security number on the application form. I never had to do that before.
- 9. For the first time in my life, I received rejection notices in connection with voting by mail.
- 10. The rejection of my application to vote in the March 2022 primary by mail was deeply upsetting. At my age it is not always easy to remember which identification numbers I used when I registered to vote over two decades ago.
- 11. I submitted my application three times, received three rejections, and was not permitted to vote by mail for the March 2022 primary election.
- 12. I received the first rejection on February 17, 2022, one day before the end of the application deadline on February 18, 2022, and over a month from my application. The instructions stated I needed to update my voter registration record with "both the Driver's License or Personal Identification Card number and the last 4 digits of your Social Security number."
- 13. On February 17, 2022, the same day that I received my first rejection, I sent another application for a vote by mail ballot, by mail, and this time I included both my Texas Personal Identification Card number and the last four digits of my social security number.
- 14. On February 18, my daughter e-mailed a third application for me to make sure that the county would receive it on time, and mailed a hard copy post-marked on January 18, consistent with the county's instructions that, "the new Application for a Ballot by Mail must be received no later than 2/18/2022. If the new

- application is faxed or emailed on or near the deadline to apply for a Ballot by Mail, the original hardcopy must be received by the Early Voting Clerk within four business days of the receipt of your fax or email and meet all legally required deadlines for receipt of the application."
- 15. I received the second and third rejections after the application deadline, in letters from the Travis County Election Division, post-marked Feb 23, 2022.
- 20. One notice of rejection stated that I "did not indicate a party preference" and that the application "did not contain your Texas Driver's License Number, Texas Personal Identification Card Number, Texas Election Identification Certificate Number or the last 4 digits of your Social Security Number or the number provided did not match your voter registration record." The other notice of rejection stated, "We have received your application after the 2/18/2022 deadline to apply for an absentee ballot in the Primary Election."
- 21. I was very upset that my application was rejected three times. I wanted to vote by mail but could not do so even after successfully voting by mail for two decades.
- 22. I had not gone outside in public since March 2020 due to fears of contracting COVID.
- 23. Because I could no longer vote by mail for the 2022 Primary election the only way I could vote was to vote in person on election day. I went to the polling place with my daughter.
- 24. I had to stand in a long line outside in the cold for fifteen minutes. I found it difficult to stand up and to walk. I was shaking.
- 25. Eventually, a poll worker told me I could wait in the car and do curbside voting.

- 26. I did not vote in person during the 2022 general election. I voted by mail because the second and third applications I mailed were sufficient only for the 2022 general election, but not the 2022 primary election.
- 27. I do not intend to vote in person again because it is too difficult for me at my age.
- 28. I intend to try to vote by absentee ballot again in the future, but SB1 requires that I must reapply each year. I am very worried that my application to vote by mail will be rejected each year. The County took over four weeks from my first application to respond. Their rejection arrived the day before the application deadline. Once I corrected the errors my application was deemed too late, even though I followed their email and hardcopy instructions.
- 29. I had my daughter help me navigate this demoralizing process but there are seniors who also are limited English speaking like me and who live alone and don't have someone to help them. I believe they wouldn't be able to apply to vote by mail or vote at all without a daughter or son who knows this process and can help them.

This Declaration is made pursuant to 28 U.S.C. § 1746 with the translation assistance of my daughter, Ming Fei Yi. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 23, 2023.

Yi Lu Zhao

I declare under penalty of perjury that the foregoing translations are\ true and correct. Executed on May 23, 2023.

Ming Fei Yi

Exhibit 27

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF MING FEI YI

My name is Ming Fei Yi. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge.

- I am a resident of Travis County, Texas and eligible to vote in Travis County, Texas.
- 2. I have regularly voted for 30 years since I was 35 years old.
- 3. I am 65 years old.
- 4. I immigrated to the United States in January 1981.
- 5. I became a citizen in 1990.
- 6. I registered to vote in Texas when I became a citizen.
- 7. I speak English and Chinese.
- 8. I have provided voter assistance to my father who is limited English proficient for over 20 years.

- 9. I am also my father's caretaker, and he lives in my house.
- 10. My father is engaged, well-informed, and speaks and reads limited English, but the ballot and election process are complicated and too difficult for him to understand.
- 11. I must explain the voting process to my father in Chinese.
- 12. I assist him at home with completing his absentee ballot. I do not tell him who to vote for.
- 13. The ballot, election information, and mail in ballot application is not translated into Chinese in Travis so I must provide an interpretation of the ballot language.
- 14. This year for the first time I had to provide assistance with the application for the absentee ballot, something they've automatically received for decades.
- 15. Despite three timely applications to vote by mail, my father's application was rejected, and he was not permitted to vote by mail for the first time in over 20 years.
- 16. I am concerned about senior citizens who don't have an engaged daughter or son to help them. I don't know how they could have handled the difficult absentee ballot application process on their own. I believe they would end up not voting.
- 17. My father was determined to vote and had not been outside of the house since

 January of 2020 to avoid being exposed to COVID. At grave risk, he decided to
 go in person to the polling place.
- 18. It was very cold outside on election day and there were no seats in the long line at the polling place for elderly voters to sit on. I was worried about my father's health.

19. I am concerned about SB1's criminal liability for offering voter assistance with mail in ballots.

20. Before SB1 I provided assistance for seniors, as well as for my father.

21. Now I only assist my father and I do not offer help to other seniors who need assistance on their absentee application or ballot because of SB1's criminal liability.

22. I am afraid that even my assistance for my father could violate SB1. Who would take care of my father if I go to jail?

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 23, 2022.

Ming Fei Yi

Exhibit 28

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF RIAZUDDIN AHMED

My name is Riazuddin Ahmed. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge.

- I am a resident of Fort Bend County, Texas and eligible to vote in Fort Bend County, Texas.
- 2. I have regularly voted since I was 66 years old.
- 3. I am 85 years old.
- 4. I immigrated to the United States in December of 1972.
- 5. I became a citizen in 1978.
- 6. I registered to vote in Texas when I became a citizen.
- 7. I use a wheelchair.
- I began voting by mail in Fort Bend County when I turned 65.. I am also eligible
 to vote by mail due to disability because in 2014 I suffered a stroke and must
 now use a wheel chair.

- I have voted by mail-in ballot for 20 years and have reapplied each year without issue until 2022.
- 10. After 20 years of voting by mail, in 2022, I received the first rejection of my application for voting by mail for the March 2022 primary election.
- 11. I received a phone call from the county elections department saying that my ballot was rejected and that I needed to include my social security number on the outside envelope. That I would have to come to the county elections headquarters and complete the ballot process inside the building and that I would not have access to such help while sitting in my car as I am wheelchair bound.
- 12. I did not feel comfortable putting my social security number on an envelope because of identity theft.
- 13. Fort Bend County told me that I had to come into the central office to cure my vote by mail application.
- 14. Fort Bend County did not offer me a curbside option to cure my application.
- 15. The rejection of my application upset me. I particularly wanted to vote by mail because of my mobility disability, and because of my age and COVID vulnerability.
- 16. I was upset because Fort Bend County failed to offer me a disability-based accommodation to cure my vote by mail application by curbside, but instead required me to come in person to the central office to cure my vote by mail application.
- 17. At that time I had not gone outside in public since March 2020 due to fear of contracting COVID.

- 18. Because I was unable to cure my application for a ballot by mail, I had to vote in person during the March 2022 primary, using curbside voting, because I wanted to make sure I could vote.
- 19. It was a very cold day outside and I was quite uncomfortable because I still had to go outside to get into and out of the car.
- 20. At the polling place, it took 40 minutes for me to have my curbside voting initiated and completed by a poll worker.
- 21. The process was slow as the weather was very cold and the poll worker had to go in and out of the polling place to ask me a variety of questions and get signatures.
- 22. Although I was unable to vote by mail in the March 2022 primary, I did manage to vote by mail in ballot in the November 2022 general election.
- 23. I do not intend to vote in person again.
- 24. I intend to try to vote by absentee ballot in the future but I am afraid that my application to vote by mail will be rejected for again. I am afraid of identity theft when I am required to include my social security number on an envelope that is going out into the public, and I don't want my identity stolen.

This Declaration is made pursuant to 28 U.S.C. § 1746 with the translation assistance of my daughter, Farha Ahmed. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 23 2023.

Riazuddin Ahmed

An Illin What

I declare under penalty of perjury that the foregoing translations are true and correct. Executed

on May 23, 2023.

Farha Ahmed

Exhibit 29

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

Civil Action No. 5:21-cv-844(XR) (Consolidated Case)

TEXAS, et al.,

Defendants.

OCA-GREATER HOUSTON, LEAGUE OF WOMEN VOTERS OF TEXAS, REVUP-TEXAS, TEXAS ORGANIZING PROJECT, and WORKERS DEFENSE ACTION FUND,

1:21-cv-0780-XR

Plaintiffs,

v.

TEXAS SECRETARY OF STATE JOHN SCOTT, in his official capacity, et al.,

Defendants.

NOTICE OF CONFIDENTIALITY

Pursuant to the protective order in this lawsuit, OCA-Greater Houston Plaintiffs designate as confidential the following portions of the attached League of Women Voters of Texas's deposition:

• 159:12–167:13

Dated: May 31, 2022

/s/Thomas Buser-Clancy
Texas Bar No. 24078344
ACLU FOUNDATION OF TEXAS, INC.
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Houston, TX 77007
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Transcript of the Testimony of **Grace Chimene**

Date:

April 26, 2022

Case:

LA UNION DEL PUEBLO ENTERO vs GREGORY W. ABBOTT

Grace Chimene April 26, 2022

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1
               IN THE UNITED STATES DISTRICT COURT
                FOR THE WESTERN DISTRICT OF TEXAS
 2.
                      SAN ANTONIO DIVISION
 3
    LA UNION DEL PUEBLO
    ENTERO, et al,
 4
                   Plaintiffs,
 5
                                  ) CIVIL ACTION
    VS.
 6
                                  ) NO.: 5:21-cv-844-XR
    GREGORY W. ABBOTT, et al,
 7
                   Defendants.
 8
                ORAL AND VIDEOTAPED DEPOSITION OF
10
11
                          GRACE CHIMENE
12
     Designated Representative of League of Woman Voters of
13
                              Texas
                         APRIL 26, 2022
14
15
         ORAL AND VIDEOTAPED DEPOSITION OF GRACE CHIMENE,
16
    produced as a witness at the instance of the DEFENDANTS,
17
18
    and duly sworn, was taken in the above-styled and
    numbered cause on April 26, 2022, from 10:14 a.m. to
19
    5:13 p.m. before Miah Parson, CSR in and for the State
20
21
    of Texas, reported by oral stenography, at the
    Disability Rights Texas offices, 2222 W. Braker Lane,
22
    Austin, Texas 78758, pursuant to the Federal Rules of
23
24
    Civil Procedure and the provisions stated on the record
25
    or attached hereto.
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April 26, 2022 Page 2

Grace Chimene

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   Bradley Prowant
    Kelsey Pormasdoro-DOJ
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1 also have this other type of League in Texas it serves a

- 2 local community called a League at large and they are
- normally smaller leagues or newer leagues and they need 3
- more assistance and they're considered units, right of 4
- the Texas League. So one of them has their own by laws 5
- and policies and procedures the other one is -- is a 6
- part of the Texas League. Okay. Right.
- And does the National League have its own 8 Ο. 9 bylaws and organizational documents?
- 10 It has its own bylaws. The Texas League has its own bylaws and then local leagues that are 11
- 12 independent have their own bylaws.
- 13 When I ask you about the League today Okav.
- 14 I'm gonna be asking about the Women Voters of Texas --
- 15 Α. Okay.
- 16 -- and anything that's a part of the League of
- Women Voters of Texas, including those, I think you 17
- 18 called them consolidated local leagues?
- 19 Α. Leagues at Large.
- 20 0. The Leagues at Large.
- 21 Α. Yes.
- 22 Ο. They're --
- 23 Yes, but the people who are members of a local
- 24 League that has their own bylaws and has their own
- 25 policies and procedures they are under the Texas League

1 so they have -- they follow our -- they -- they follow

- 2 what we say for anything to do with state level
- 3 | information or state level advocacy. So they take care
- 4 of the needs of the local level. We take care of the
- 5 needs of the Voters at the state level. So we're all
- 6 one organization. They belong to all the same
- 7 organization, but they joined the local level.
- Q. So I think you said that the state League can
- 9 set certain rules that govern the conduct of local
- 10 | leagues; is that right?
- 11 A. Yeah. But not -- not every conduct. Some
- 12 | things are -- are open for the local leagues that have
- 13 | their own policies specific to what they're doing at the
- 14 | local level.
- 15 | Q. And some activities are undertaken by local
- 16 | leagues -- separate from the state League, right?
- 17 A. At the local level.
- 18 Q. Is that a yes?
- 19 A. It was. No, it wasn't a yes. It was at the
- 20 | local level local leagues can take action like if they
- 21 | want to -- when they're doing the voters guide, they're
- 22 | doing the voters guide for local elections, right?
- 23 | O. Sure, I'm not --
- 24 A. When they're going --
- 25 | Q. -- trying --

Page 15

1 to Interrogatory No. 3?

- A. What -- what page is it on?
- Q. It's on Page 14 of Exhibit 2. If you look
 about half way down the page you will see a sentence
 that says, LWVTX has approximately 3,050 members across
 Texas. Do you see that?
 - A. Yes.

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- Q. Does LWVTX mean League of Women Voters of 9 Texas?
- 10 A. Yes.
- Q. And is 3,050 your best estimate of how many members League has?
 - A. It goes up and down right around that number.
- Q. How does one become a member of the League?
 - A. Most members can join -- folks, anybody who is 16 and over can join the League of women voters and generally they join at the local level and -- but if there's not a local League in their community then they will join at the state level and occasionally people join at the national level. Yeah. They pay a certain amount of money and that's how they join.
 - Q. So is there a form one fills out to become a member?
- A. Is there a form one fills out. Do I fill out a form. I'm trying to think. I go online and I click a

Page 28

1 could have the opportunity to say I want to run against

- 2 so-and-so, but in general we have that nominating
- process work so that everybody who really wants to be on 3
- the board gets an opportunity to either be on the board
- or to do some other projects at the statewide level. 5
- And how are the members of the nominating 6 committee chosen?
- The members of the nominating committee, that
- is in the bylaws and so -- so -- so check the bylaws
- 10 just to confirm that I'm being accurate. I'm not 100
- percent sure off the top of my head, but I believe 11
- two -- three members who are not on the board are -- are 12
- 13 on the nominating committee and then two members who are
- 14 on the current board are on the nominating committee.
- 15 It's something like that so I think it ends up being
- 16 five people. So that's something like -- my understand,
- 17 but I would have to really read the bylaws to make sure
- 18 I have it right. And -- and one of them is assigned to
- 19 be the chair.
- So the League of Women Voters of Texas is 20
- 21 governed by a board, right?
- 22 Uh-huh, yes. Α.
- 23 And that board is chosen through a convention
- 24 that votes to approve or not the people nominated by the
- 25 nominating committee, right?

1 A. Yes.

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Q. You said the voter convention is done by delegates, right?

- A. Yes.
- Q. And how does one become a delegate?
- A. Okay. What's fun is we just had our convention on April -- in early April. So this all somewhat fresh in my mind. Let's think how we do -- so tell me the question again.
- Q. How does one become a delegate to the League of Women Voters of Texas convention?
- A. Okay. So in our bylaws it says the number -something about the number of members in your League or
 League at large determines the number of delegates that
 you have and so we use math. And then to determine the
 number of delegates and then how are those delegates
 chosen the local League president gets to say who's on
 the final list, but pretty much anybody who wants to
 come to convention and be a delegate, there's plenty of
 opportunities for them to be there.
- Q. The delegates to the League of Women Voters of Texas convention are chosen by the local League presidents, correct?
 - A. By the local League presidents, yes.
- Q. How does one become a president of a local

1 looked at except for 2021 instead of 2020?

- 2 A. Yes.
- Q. Okay. Let's just briefly look at the last page again, which is Bates stamped 2276?
- 5 A. Uh-huh.
- Q. Do you see a similar pie chart regarding the League's income underneath heading, Funding the Mission?
- 8 A. Yes.
- 9 MR. CLANCY: Same objection as beyond the 10 scope of the deposition notice.
- 11 Q. (BY MR. THOMPSON) Does it show the League's 12 income for 20 --
- 13 A. Income, yes the pie chart.
- Q. I'm sorry. I'm noticing something about the last page. If you look at the top of the last page, it says 2022 report. Do you see that?
- A. Yeah.
- Q. But the title on the first page said 2021
- 19 | Impact Report, right?
- 20 A. Yes. So --
- 21 Q. It is currently April of 2022, right?
- 22 A. 2021, today, yes.
- Q. Do you think that the chart relates to the relevant numbers for 2021 or 2022?
- 25 A. 2021.

Page 39

1 I'm sorry. So the chart on Bates stamp 2276 2 shows that the League of Women Voters of Texas had an income in 2021 of \$320,308, right? 3

> Α. Yes.

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Just a continuing objection MR. CLANCY: this line of question speak and can you answer.

- (BY MR. THOMPSON) And the share of that income Ο. that was attributable to the per member payments from local leagues was 17 percent, right?
- 10 Α. No, wait a second. Membership says 17 percent 11 yes.
 - Ο. All right. Just to make sure we get it clear for the record. The pie chart shows on the bottom right-hand corner a 17 percent slice of the pie labeled membership, right?
 - Α. Yes.
 - And that means that 17 percent of the League of Women Voters of Texas income in 2021 came from the per member payments made by local leagues, right?
 - That's my understanding. Α.
 - Thank you very much. You can set aside 0. Okay. Exhibit 4. So based on the numbers from 2020 and 2021 more than 80 percent of the League's funding comes from sources other than per member payments, right?

25 Objection; form. MR. CLANCY:

voters overall. LWVTX would not have to conduct this
type of public education in the absence of SB1. Do you

- A. Yes, that was a very long paragraph.
 - O. It was indeed?
- A. Yes.

see all that?

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- Q. Okay. So toward the top of that paragraph the complaint alleges that SB1 would frustrate LWVTX's mission of empowering voters and defending democracy by expanding voter registration and increasing voter turn out. How does SB1 frustrate LWVTX's mission?
- A. So our mission of empowering voters and defending democracy we take -- we take to heart and I can barely say the mission without going woo hoo every time because it's so important to us. The -- so during empowering voters. So during most elections we're working really hard and especially working on trying to get more people registered to vote in voting Texas elections and -- and we have in the past been concentrating much of our efforts on young voters like we have a high school voter registration program, college age voters also because we know if you could get a voter to -- a young voter to participate in one election then they're more likely to participate in more elections. And we do that through our high school voter

1 registration and education, first vote education project 2 and the campus vote project that we work on a lot. other area we work with are people who are less likely 3 to vote and so those would be people who are not 4 consistent voters, voters in low income areas, we work 5 with voters who are served by food banks, voters who are 6 new voters, we have a whole naturalization ceremony and we have voters who -- who are new to Texas. those -- those are some of the areas -- some of the 10 areas we work on when we try to empower voters in Texas 11 in trying to get out the vote. The -- and instead of being able to do that, since -- SB1 we spent a great 12 13 deal of our time instead educating voters who are 14 normally consistent voters who have been voted -- voting 15 for a very, very, very long time in many cases who are 16 voting by mail, who are 65 years and over or are a voter 17 with a disability. And so we've been spending much of 18 our time instead of working with those inconsistent 19 voters, but working with normally consistent voters 20 who's been voting for a very long time who are now need a lot of voter education in order to get -- even get 21 22 through the application or the ballot by mail process. 23 So we -- we turned all of our energy -- I'm sorry, I'm 24 making hand motion we turned our energy from what we had 25 previously been concentrating on to these 65 and over

voters and voters with disabilities on educating them about the new SB1 law, especially regarding voter ID.

- Q. So I understand, Ms. Chimene, that you brought in some specific examples of what the League does and how it respond to SB1. I want to see if I can kind of put those examples into categories and make sure I understand each of the applicable categories that they exist. So what I think you were just testifying about was -- that in response to SB1, the League has shifted some of its focus from activities it used to do to other activities in response to SB1, is that accurate?
 - A. Yes.

- Q. Is there any way -- I'm sorry, let me try that again. Is that what the League is referring to when it says that SB1 frustrates the League's mission?
- A. It's one of the aspects of what we mean when we say it frustrates the League's mission. It's -- is it okay if I keep going? So for us our mission is really important to our members and -- and supporters. And that is empowering voters and defending democracy. And frustrating our mission by making it so that these consistent older voters who are 65 and over and Texas and who are voters with a disability can't get through the process either of applying to vote by mail or the ones that had their ballots rejected in this last

election or during the primary where they had 25,000 voters who voted by mails ballot rejected. I would say yes it frustrates our mission so --

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- Q. So I think you said that the shift and focus is one aspect of how SB1 allegedly frustrates the League's mission. I want a list of all the aspects in which the League contends that SB1 frustrates the League's mission. Can you provide that?
- I can provide you with the ones that I could 10 come up with at this moment, but I'm sure there's going So let me start with, frustrates our 11 to be more. 12 mission. So let me start with the fact that we had to 13 pull together all of our volunteer efforts and focus on creating voter education materials and creating a 14 15 communication plan for this specific bill and that 16 included actually hiring a communications person. 17 Everybody in the League is a volunteer. I'm a 18 volunteer. Everybody's a volunteer except we have a staff member who is like -- her title is Executive 19 Director, but she's more like an administrator of the 20 21 office and -- and we got enough money to be able to hire 2.2 a communications person because this is taken up so much of the volunteer's times and my time and other peoples 23 times on the board that we're unable to get done the 24 25 normal activities that we would like to provide or we're

members time, the inability to reach the voters we normally reach and are concerned about and the cost of having to pay extra staff as much as we could. So now we have communications person that we're paying for and also — let me try to think. So that's volunteer time — it frustrates our mission because I know these voters who reached out to me and to us to let us know how frustrated they were with this process. There was categories of them. So some of them were very angry about this bill and why is this happening to them.

And others are embarrassed that they were unable to follow this process. That they -- that SB1 created and others are not talking about it. They have just hold up and I'm not hearing from them. So my feeling and concern is that they will quit being a part of our democracy. And I believe that this is all due to SB1 and these major changes that happen especially with the voter ID and the complicated process for voting by mail. And -- and -- and so when I say it frustrates our mission, I mean it really frustrates our mission in so many different ways and those are just the three that I was able to name at this moment.

- Q. Okay. Let me try -- try this again.
- 25 A. Okay.

1 get through the application process had their votes not 2 counted in the primary. Some of those voters are angry about it and letting me know that they're angry by 3 sending -- by contacting me in some way that we've 4 already shared. Others are embarrassed and are kind of 5 turning it on themselves they're -- they seem 6 embarrassed and others I am not hearing from and my concern because our mission is empowering voters into 8 9 fitting democracy. My concern is the frustration is 10 we're not meeting those voters needs and we can't meet their voter's needs because there is nothing I can do to 11 make sure that they're able to participate in this 12 13 process and those voters we are losing in this already 14 low voting state. We are losing those voters and I'm 15 not sure that we'll ever be able to get them back again and that is because of SB1. 16

- Q. Okay. I think I understand the second category you're describing, but I need to make sure that I'm accurately understanding your testimony. The League has a goal of helping voters to vote, right? Is that a yes?
 - A. Yes.

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- Q. Thank you and I'm sorry about that.
- A. Nope, it was my fault.
- Q. The League has a goal of helping voters to vote, right?

1 A. Yes.

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Q. And the League contends that its goal is frustrated by SB1, right?

A. Yes.

Q. And that's because some voters the League contends, are not able to effectively vote due to new provisions in SB1, correct?

MR. CLANCY: Objection. Misstates the testimony. Form.

So some voters are -- my concern is that because of the ID requirement and other issues with SB1 that we have mentioned -- the lawyers have mentioned, that some voters our -- are unable to overcome the obstacles no matter how much voter education we provide. No matter how much we work with county election officials. No matter how much we promote this SB1 complicates vote by mail and -- and makes it so that we're losing voters who are normally consistent voters. Not only that, but we're unable to meet -- we can't -we can't seem to get them through this and we don't have the resources to do voter education that is -- that is required and so it's frustrating also because we're not going in meeting all the voter's needs. So we're not meeting the high school voter needs. We're not meeting the college student needs. We're not meeting the low

income voters or the inconsistent voters who we normally concentrate on and instead we've had to turn our attention to people who are normally very consistent voters. People who normally have been voting consistently and by mail for some time for many years and they've been voting by mail for many years and now those voters are unable to either get through the

- 8 application process or they're one of the 25,000 that
 9 had their ballots rejected. So this is frustrating our
 10 mission.
 - Q. Let me try to sum it up. We'll see if I get it right. The League contends that SB1 frustrates its mission by preventing some people from voting, correct?
- 14 A. Yes.

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- Q. In an effort to address that problem the League has tried to educate voters about SB1, right?
- A. That is one of the things we have tried to do, yes.
 - Q. And by Spending the resources to educate voters about SB1, the League has necessarily shifted some resources away from activities it otherwise would have done, correct?
- A. Yes.
- Q. Does that capture all the ways that the League contends that SB1 frustrates its mission?

Page 102

1 | the League's mission?

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2 MR. CLANCY: Objection to form.

- So we have resources, we have voters, we have 3 our time, and efforts. So I could say yes for now. 4 sorry, I -- I -- I know that I'll go home and remember 5 all these other reasons. So I apologize and I know 6 you're going to try to go over and over and over again, but maybe after the next break I can come back to you 8 and tell you some more, but at this particular moment I 10 think that is a lot of resources and a lot of frustration that we have so thank you. 11
- Q. (BY MR. THOMPSON) Sitting here today you can't tell me about any other ways that the vote by mail provisions and SB1 frustrates the League's mission, can you.
- A. Tell me, again. Read it out loud. Let me try
 to categorize it.
 - Q. Sure. Maybe -- maybe it would help if I numbered them.
- A. Well, if it was written down I'd probably able to look at it and think more, but go -- yes, say No. 1 that might help.
- Q. Okay. No. 1, the League contends that the vote by mail provisions and SB1 will prevent some voters from participating in elections, right?

Page 103

1 A. Yes, so that's voters, yes.

Q. No. 2, the League tries to address that problem by shifting its resources from other activities to educating voters about SB1, right?

- A. Right. Yes.
- Q. No. 3, despite the League's efforts the vote by mail provisions and SB1 will according to the League still prevent some voters from participating in elections, right?
 - A. Yes.

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- Q. Now, I think those are the three broad categories of ways that you have testified the vote by mail provisions and SB1 can frustrate the League's mission.
- A. Did one of those include financial resources, not just volunteer time, but also financial resources? Is that included under the resource section?
- Q. Yes, as far as I'm concerned the resources addressed in No. 2 can be any type of resource you want.
 - A. Okay. All right that sounds good.
- Q. Is that -- are those the only three broad categories you can testify about sitting here today.
 - A. Sitting here today, yes. Thank you.
- Q. You can't identify right now any other way in which the vote by mail provisions of SB1 frustrates the

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1 A. At least. I was -- we were working on 1 or 2 yesterday, sorry.

Q. Are there more educational videos that the League intends to edit or remake going forward based on SB1 going into effect?

MR. CLANCY: Objection; form.

A. Yes, there will be more videos.

- Q. (BY MR. THOMPSON) When will those be edited or remade?
- A. It seems as though since December in the middle of -- right during -- during the holidays instead of having a wonderful -- a relaxing vacation we were creating videos about vote by mail. Many of those videos -- I don't know many, those videos have been edited and then we provide them in different ways. So when you make a voter educational video you're trying to make it in a way that meets -- you're trying to provide voter education for people who are impacted by the bill and you're trying to make it -- meet all of their needs and so there's many videos and there's many documents and there's graphics and try -- and then working with partners and other government agencies trying to meet the needs of the voters.
- Q. So as I understand your testimony you're saying that the League provides new information, including

1 through remade videos about changes caused by SB1,
2 correct?

A. We have created numerous videos about changes to SB1 and we will continue to create the videos in a way that we hope will reach more and more voters. At the beginning SB1 was confusing for us and hard for us to consolidate and take that huge bill and try to make it into legal language that voters could understand, but our early videos are fairly complicated because it's a complicated process and we're trying to simplify as much as we can. So it's just -- it's just -- this is been a very difficult time for us.

- Q. So based on Paragraph 167 of the second amended complaint I thought there were particular videos, educational videos that the League wanted to edit or remake; is that right.
- A. About -- about SB1 and vote by mail, in particular especially regarding the voter ID aspects of it. We will -- those videos were made and they're multiple different types and now we are continuing to edit and remake videos trying to reach as many voters as possible just as possible.
- Q. When does the League anticipate that it will finish editing or remaking those videos?

MR. CLANCY: Objection; form.

A. I make most of the videos to be honest, so that's what I did over my vacation. I think the video's will be changing because they'll be made by somebody else after June. When I am not on the board -- so I expect those videos will be changing and perhaps being edited or just remaking them in a different way. I don't know if I answered your question, I'm sorry.

Q. My question was, when do you think the process will be complete?

MR. CLANCY: Objection; form.

- A. Those -- when will it be complete. I think the voter education that we provide on SB1 will continue on as we try to find tune our voter education so that more so to see if we could reach more voters and have them be successful voters. So right now the videos are in English, they need to be made in Spanish, perhaps some other languages, right now the videos were very simply made by me and some other League members. And I -- and it was a huge start. I think it will continue on. I expect we may have more videos as time goes by trying to reach as many people as possible I know I've said that before. Okay.
- Q. (BY MR. THOMPSON) If SB1 were no longer in effect, would the League need to change the videos yet again to take down that change?

Q. If you flip to Page 9 and 10 and look at slides 2 18 to 19.

A. Okay.

- Q. There the League is providing tips about assistance for voters in polling place, right?
 - A. Right.
- Q. So having gone through a few of these slides, I guess what I want to know is, is this exhibit a representative example of the types of tips and education that the League provides?

MR. CLANCY: Objection; form.

- A. This is not -- this is way more specific than we normally get. Because SB1 is so complicated and was so massive and the changes are overwhelming for many voters this is a lot more than we normally do. We normally have more perky happy slides about registering to vote or voting early, you know, and this one is like really more detailed, detailed oriented and that is what SB1 has done. Also this is very early on so over time our education has changed and this is not for voters it is for organizations that work with the voters. So I wouldn't teach voters all of this necessarily. I would try to make it more simple, but it's -- I like it. I -- I created it. I'm not a lawyer.
 - Q. Sure. And I'm surely not trained --

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April 26, 2022 Page 210

Grace Chimene

1	I, GRACE CHIMENE, have read the foregoing deposition and hereby affix my signature that same is							
2	true and correct, except as noted above.							
3								
4								
5	GRACE CHIMENE							
6								
7								
8								
9	THE STATE OF)							
10	COUNTY OF)							
11								
12	Before me,, on							
13	this day personally appeared GRACE CHIMENE, known to me							
14	(or proved to me under oath or through							
15) (description of identity							
16	card or other document)) to be the person whose name is							
17	subscribed to the foregoing instrument and acknowledged							
18	to me that they executed the same for the purposes and							
19	consideration therein expressed.							
20	Given under my hand and seal of office this							
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25	THE STATE OFCOMMISSION EXPIRES:							
	COMMITSSION EXPIRES.							

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               IN THE UNITED STATES DISTRICT COURT
                FOR THE WESTERN DISTRICT OF TEXAS
 2.
                       SAN ANTONIO DIVISION
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    LA UNION DEL PUEBLO
    ENTERO, et al,
 4
                   Plaintiffs,
 5
                                    CIVIL ACTION
    VS.
                                    NO.: 5:21-cv-844-XR
 6
 7
    GREGORY W. ABBOTT, et al,
 8
                   Defendants.
 9
10
                    REPORTER'S CERTIFICATION
11
         ORAL AND VIDEOTAPED DEPOSITION OF GRACE CHIMENE
                         APRIL 26, 2022
12
13
         I, Miah Parson, CSR, Certified Shorthand Reporter
14
15
    in and for the State of Texas, hereby certify to the
16
    following:
         That the witness, GRACE CHIMENE, was duly sworn by
17
18
    the officer and that the transcript of the oral
    deposition is a true record of the testimony given by
19
    the witness;
20
21
         I further certify that pursuant to FRCP Rule
    30(f)(1) that the signature of the deponent:
22
23
    X was requested by the deponent or a party before the
24
    completion of the deposition and that the signature is
25
    to be before any notary public and returned within 30
```

days from the date of receipt of the transcript. 1 2 returned, the attached Changes and Signature Page 3 contains any changes and the reasons therefor; __ was not requested by the deponent or a party 4 before the completion of the deposition. I further certify that I am neither counsel for, 6 7 related to, nor employed by any of the parties or 8 attorneys in this action in which this proceeding was taken, and further that I am not financially or otherwise interested in the outcome of the action. 10 11 Certified to by me this 17th day of May, 2022. 12 13 14 Miah Parson, CSR No. 11773 15 Expiration Date: 02/28/2023 Firm Registration No. 633 16 Magna Legal Services 16414 San Pedro, Suite 900 17 San Antonio, Texas 78232 Phone 210-697-3400 18 Fax 210-697-3408 19 20 21 22 23 24 25

Exhibit 30

DECLARATION OF JOYCE LEBOMBARD

My name is Joyce LeBombard. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge:

1. I am the President of the League of Women Voters of Texas ("LWVTX"). I have served in this role since June 2022. My current term will end in June of 2024. This is an unpaid, volunteer position to which I devote an average of 40 hours a week. I have been a member of the League since February 2017. I served the Austin Area League as VP of Voters Service, and then as President and Interim Communications & Technology Director. I am retired from a management career in IT, primarily in the financial services industry.

About the LWVTX:

- 2. The League of Women Voters of Texas is a nonpartisan, grassroots civic organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. LWVTX's mission is to empower voters and defend democracy.
- 3. LWVTX's main office is in Austin, Texas. LWVTX has approximately 3,000 members and between 33 and 35 local leagues covering 39 counties across Texas. The League also serves voters statewide, even outside of these areas.
- 4. Members of local leagues are also members of the LWVTX, as well as the League of Women Voters of the United States.

- LWVTX members pay annual dues, a portion of which are paid to LWVTX from local leagues in the form of per member payments. These funds are used to fund a portion of LWVTX's activities.
- 6. LWVTX's officers and board members are LWVTX members who are elected by other members. Officer and board elections occur at the biennial LWVTX convention, where members from local leagues vote in the elections.
- 7. LWVTX is a volunteer-based organization. Many of our members participate in LWVTX's election-related programs, such as registering people to vote, participating in get out the vote ("GOTV") events, canvassing or "doorknocking," assisting individual voters, and hosting nonpartisan issue or candidate forums.
- 8. LWVTX and its local leagues fund, create, and distribute non-partisan election guides.

 These guides help to inform voters about how to vote and what the candidates and propositions on their ballots stand for. These guides are distributed across the state to voters, public entities like libraries, and other organizations—both as physical copies and online. LWVTX sends these voter guides to as many counties as possible, including counties without local leagues.
- 9. LWVTX undertakes a number of activities related to encouraging and facilitating voting by mail, including organizing and running voter registration drives; designing and executing public information campaigns about how to vote by mail; creating social media posts and materials about voter registration and early voting; encouraging eligible voters to use mail-in ballots; and educating voters about how to comply with Texas election laws governing early voting and voting by mail.

LWVTX Members:

- 10. Many LWVTX members vote by mail, including because they are over the age of 65 or have a disability.
- 11. I am aware of and know many LWVTX members who have disabilities, and as a result vote by mail and/or use assistants when they vote.
- 12. We also have many members who serve as voting assistants to voters casting mail-in-ballots in their communities. Organizations and others will often ask LWVTX chapters and members to provide assistants.
- 13. Many of the members and voters that LWVTX works with, who are older than 65 or have disabilities, do not have the privilege of voting easily. Many of the voters are unable to drive themselves to a polling location, are unable to walk around and use voting machines by themselves, and have been some of the most vulnerable populations to risk of severe illness from COVID-19.
- 14. LWVTX members are also some of the most devoted voters and committed to pursuing the ideals of American democracy. Many members have been voting since they were first old enough and eligible to vote, and have been voting and encouraging others around them to vote since then. Some of our members have individually been voters and activists for over half a century. LWVTX members are integral to pursuing our mission of empowering voters and defending democracy.

LWVTX's Diversion of Resources Due to SB1:

15. The provisions of SB1 challenged in this lawsuit have harmed LWVTX's ability to pursue its mission. The additional requirement to include a Texas ID number or social security number when voting by mail, and new requirements criminalizing assistants for

- vote-by-mail ballots, has required LWVTX to devote significant resources to inform members and other voters how to navigate these changes.
- 16. Leading up to and since SB 1 went into effect in December 2021, LWVTX has had to devote significant personnel time and resources to helping members and the public navigate SB 1's new provisions. LWVTX will have to continue to divert resources in future elections to address the changes under SB 1, as long as its challenged provisions remain in place.
- 17. As the LWVTX's President, I have had to devote a significant portion of my time to addressing the harmful changes under SB 1. Likewise, my predecessor and other board members and LWVTX paid staff have also devoted significant time to SB 1. We have had to dedicate time to educating LWVTX members and the public about SB 1's harmful requirements and restrictions.
- 18. In response to requests about SB1 from voters and other organizations, we have hosted and participated in several presentations about the challenged SB1 provisions. Along with other board members and staff, I created PowerPoint presentations explaining SB1 and advising voters how to navigate these changes.
- 19. Much of the information we were using to advise members and voters about the changes under SB1 had to continue to evolve as the implementation of SB1 changed unpredictably. For instance, we initially understood that voters needed to (and were supposed to) include only one identification number when they voted by mail. This later changed to advise voters to include both a Texas ID number *and* a social security number, in order to increase the likelihood that one of these numbers would match what

- was in their voter file. As a result, LWVTX had to change the advice that we were giving to members and voters, and once again update materials to reflect this.
- 20. LWVTX has also spent a significant amount of time answering questions from local leagues about how to navigate changes under SB1. As discussed above, there has been serious confusion about whether local leagues should advise members and voters to write down only one identification number when voting by mail, or instead include both numbers. Likewise, I have had to answer many questions from local leagues about how to safely serve as voter assistants under the new SB1 requirements.
- 21. The LWVTX President is responsible for responding to media requests for the LWVTX. Since the passage of SB1, leading up to each election we have consistently received requests for information from journalists and media outlets about changes under SB1. Responding to these requests has been important for LWVTX to help publicize the changes under SB1 that harm voters, such as informing voters that they should include two identification numbers on applications and ballots to vote by mail, and that voter assistants have new and additional requirements to follow. Coordinating these interviews, preparing for them, and participating in them has taken a significant amount of personnel time since the passage of SB1.
- 22. Historically, the LWVTX President has handled the organizations' external communications. Because so much of LWVTX's time was being occupied by responding to requests and creating materials to respond to requests about SB1, the LWVTX's board of directors approved about \$42,000 to hire a Digital Communications Associate, a position we did not employ before, and \$10,000 to pay for their recruitment and

- orientation. This new staff member would not have been needed if the LWVTX President had not had to respond to the changes under SB 1.
- 23. Additionally, LWVTX has had to expend financial resources on producing materials reflecting changes in the law related to SB 1, including the voters' guide. These changes to the voter guide needed to be translated into Spanish, Chinese, and Vietnamese, which costs additional financial resources.
- 24. LWVTX has worked with another organization, the Center for Civic Design to design an alternative Vote by Mail application form for other organizations and voters to use, which attempts to simplify the new identification and assistance requirements introduced by SB1. We have devoted a significant amount of time to creating the design and sharing it with other organizations and voters. We have translated the application into Spanish, but we are still working on translating the application into other languages and sharing it with communities that speak other languages.
- 25. LWVTX has spent time making suggestions to the Secretary of State's office about how to improve the implementation of SB1's new requirements. For instance, we have advised the Secretary of State's office to shift to recommending that voters include both their driver's license and social security numbers, instead of just one number. We have also offered suggestions about how information and videos on the Secretary of State's website about voting by mail should be improved.
- 26. As a result of its diversion of resources to respond to SB 1, LWVTX has had to significantly scale back its GOTV efforts leading up to elections. Rather than focusing on designing and disseminating materials on topics to encourage lower-propensity voters, such as supporting college students in voting and helping voters find their polling place,

LWVTX has had to focus on designing and disseminating materials about SB1's changes to the vote-by-mail process. Additionally, LWVTX has been forced to reduce its outreach to young voters, including encouraging voter registration at high schools, because LWVTX has had to focus on voters more likely to be affected by the challenged provisions of SB 1. As a result, LWVTX has shifted much of its time and resources to talking to people who are usually reliable and devoted voters, but who are now encountering new challenges to voting because of the requirements under SB1.

27. Overall, responding to the harmful challenged provisions of SB 1 required a huge diversion of LWVTX's resources, negatively affecting its usual and planned activities to pursue its mission.

Harms to LWVTX Members and Other Voters

- 28. Since the passage of SB1, I have regularly received questions from local leagues, members, and other voters about how to navigate SB1's requirements for identification numbers when voting by mail and using an assistant when voting. LWVTX members are generally reliable and devoted voters who intend to continue to vote in the future, but many are concerned about the difficulties and risks that will occur when they do vote because of SB1. The members and voters that I hear from are scared of what SB1's requirements mean for them if they make a mistake or misinterpret the new requirements.
- 29. Many of the members and voters that I hear from are frustrated that to vote by mail they have to essentially guess what identification number they used when they registered to vote. I have also heard from people who are apprehensive about writing down their social security number on a form to vote by mail, because they have been advised to be extremely careful sharing their social security numbers.

- 30. LWVTX members who have been harmed by SB1's requirements include Pam Gaskin, Janet Eickmeyer, Jeannie Lewis, Patricia Buck, Milan Suarez, and Cynthia Edmondson.
- 31. Leading up to and during the March 1, 2022 primary and November 2022 general election in Texas, LWVTX heard from many members and other voters that they were having serious difficulties voting because of new SB1 requirements. Many longtime voters had their applications or ballots to vote by mail rejected for the first time.

 Likewise, many voters were unable to vote at all because they were unable to navigate the new identification requirements to vote by mail.
- 32. Although the state has implemented a ballot tracker and cure process for voting by mail, LWVTX has heard from many people that these systems failed them. Many members and other voters were unable to access the ballot tracker because their identification information would not allow them to log on. Likewise, LWVTX heard from many people who were not able to cure their ballots in time to vote before the election. Specifically, close to Election Days, many people were unable to cure their ballots in person because of limitations caused by their age and disabilities—the very reasons that they choose not to vote in person in the first place. Many LWVTX members are outraged about the high percentages of vote-by-mail applications and ballots that were rejected.

Conclusion:

33. Voter education and voting access were the casualties of the draconian changes under SB

1. SB 1 resulted in many Texas voters being silenced, and this will continue to happen as long as the challenged provisions of SB1 are in place.

This Declaration is made pursuant to 28 U.S.C. § 1745. I declare under penalty of perjury that

the foregoing is true and correct.

Executed on _____

—Docusigned by:

Soyce LeBombard

Joyce LeBombard
President LWVTX

Exhibit 31

DECLARATION OF GRACE CHIMENE

My name is Grace Chimene. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge:

- 1. I previously served as the President of the League of Women Voters of Texas ("LWVTX") between June 2018 and June 2022. Further, I served on the LWVTX Board of Directors between 2014 and 2022, and previously served as the LWVTX advocacy chair. I have been a member of the LWVTX since 2012.
- 2. I was President of the LWVTX when Senate Bill 1 was passed by the Texas Legislature in 2021, as well as when Senate Bill 1's provisions were first implemented at the end of 2021.
- 3. During the 2020 LWVTX State Convention, LWVTX approved a plan to review the state of election administration and technology in Texas elections, including by developing a new LWVTX "Facts and Issues" position on 1) physical and cybersecurity measures in elections, 2) election equipment, and 3) measures to increase confidence in elections.

4. However, due to the extensive time the LWVTX expended to challenge and educate the public about SB 1, LWVTX had to table the planned review and updates. Given the intensity of discourse during the extended 2021 legislative season around SB 1, and the final massive changes to the Texas Election Code, the resources for the planned review were diverted to responding to widespread requests for detailed information during the legislative sessions and addressing the impact of SB 1 once it went into effect.

This Declaration is made pursuant to 28 U.S.C. § 1745. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5-22-23

Drace Chimene
Grace Chimene

Exhibit 32

Transcript of the Testimony of Pamiel Gaskin

Date:

June 29, 2022

Case:

LA UNION DEL PUEBLO ENTERO vs GREGORY W. ABBOTT

Pamiel Gaskin June 29, 2022

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               IN THE UNITED STATES DISTRICT COURT
                     WESTERN DISTRICT OF TEXAS
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                       SAN ANTONIO DIVISION
 3
          LA UNIÓN DEL PUEBLO
 4
          ENTERO, et al.,
                                      Case No.
                                      5:21-cv-844-XR
             Plaintiffs,
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          VS.
                                     (Consolidated for
 7
                                      space)
          GREGORY W. ABBOTT,
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          et al.,
             Defendants.
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                 DEPOSITION OF PAMIEL J. GASKIN
                      June 29, 2022, 9:25 a.m.
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              Location: U.S. Department of Justice
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                 1000 Louisiana Street, Suite 2300
                          Houston, Texas
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                  Volume 1 of 1 - Pages 1 - 127
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     Stenographic Reporter:
     DENYCE M. SANDERS, TX CSR, RDR, CRR, CCR (LA)
24
     dsanderscsr@gmail.com
25
     JOB NO. 845774
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1 APPEARANCES 2 3 ON BEHALF OF OCA-GREATER HOUSTON: ACLU TEXAS 4 P.O. Box 8306 77288 Houston, Texas 512.983.0775 aharris@aclutx.org 6 7 Represented by: Ms. Ashley Harris * * * 8 ON BEHALF OF TEXAS CIVIL RIGHTS PROJECT ON BEHALF OF 9 PAMIEL GASKIN: 10 TEXAS CIVIL RIGHTS PROJECT 1405 Montopolis Drive 78741 11 Austin, Texas 512.474.5073 12 zachary@texascivilrightsproject.org 13 Represented by: Mr. Zachary Dolling 14 * * * ON BEHALF OF STATE DEFENDANTS: 15 OFFICE OF THE ATTORNEY GENERAL 16 SPECIAL LITIGATION UNIT P.O. Box 12548, Capitol Station Austin, Texas 78711 17 512.936.2567 18 jack.disorbo@oaq.state.tx.us 19 Represented by: Mr. Jack DiSorbo Mr. Zachary Berg 20 * * * 21 ON BEHALF OF YSABEL RAMON: 22 HIDALGO COUNTY DISTRICT ATTORNEY'S OFFICE 100 E. Cano, Courthouse Annex III, 1st Floor 23 Edinburg, Texas 78359 956.292.7609 24 leigh.tognetti@da.co.hidalgo.tx.us 25 Represented by: Ms. Leigh Tognetti - via Zoom

1 ON BEHALF OF UNITED STATES OF AMERICA: 2 DEPARTMENT OF JUSTICE Civil Rights Division, Voting Section 3 Washington, DC 20530 202.353.5373 dana.paikowsky@usdoj.gov 4 5 Represented by: Ms. Dana Paikowsky * * * 6 7 ON BEHALF OF HARRIS COUNTY DISTRICT ATTORNEY'S OFFICE: 8 BUTLER SNOW LLP 1400 Lavaca Street, Suite 1000 9 Austin, Texas 78701 737.802.1800 victoria.giese@butlersnow.com 10 11 Represented by: Ms. Victoria A. Giese - via Zoom 12 ON BEHALF OR INTERVENOR DEFENDANTS: 13 JONES DAY 51 Louisiana Avenue, NW 14 Washington, DC 20001 15 202.879.3667 skenny@jonesday.com 16 Represented by: Stephen Kenny - via Zoom 17 18 ALSO PRESENT VIA ZOOM: 19 Kenny Buser-Clancy 20 Tiffany Bingham - Harris County Savannah Kumar 21 22 Barbara Nicholas - Scarpello & Creuzot 23 24 25

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Pamiel Gaskin June 29, 2022

Page 12 1 were retired? 2 Α. Well, I retired the first time from AT&T; and I was a sales executive. I had -- I was a 3 division manager. I had sales organizations in 4 Texas, Oklahoma, Missouri, Kansas. They would call 5 them -- and Arkansas -- the MOKA states. 6 7 The MOKA states. Q. And when I retired from there, I went to Α. 9 work for KPMG, the accounting firm; and I retired 10 from there. 11 And three guys that -- two guys that I had been -- that I had worked with back in the 12 13 AT&T days and at KPMG, we all started our own little consultancy. And we -- that was in 2008. And we 14 closed that down in 2019. 15 So you've been retired since 2019? 16 Q. 17 Α. Yes. 18 0. Okay. Now, you're a member of the League of Women Voters Texas; correct? 19 20

Α. I am.

23

24

- 21 Okay. And before that, you were a 0. 22 member of the League of Women Voters Houston; right?
 - I still am. Α.
 - You still are. Okay. Q.
- 25 You can be a member of both?

1 Α. Yes. 2 Q. Okay. And those are nonprofit organizations, correct, ma'am? 3 4 Α. Yes, they are. Okay. I'll talk a little bit more about Ο. those later. 6 7 But before that, are you a member of any other nonprofit organizations? 8 Well, I'm a member of the Alpha Kappa Α. 10 Alpha Sorority, Incorporated. 11 I'm a member of the National 12 Congress of Black Women. 13 And that would be it. 14 Okay. Those two. 0. 15 Are you a member of any -- or strike that. 16 17 Are you a member of any other 18 professional organizations? 19 Α. I am a member of ISACA, I-S-A-C-A. T'm a certified information systems auditor, and I am a 20 21 member of that organization. 22 I'm also a member of the National Association of Parliamentarians. 23 24 Oh, okay. My apologies for talking over Q. you. 25

1 during the special session. Do you understand that, 2 ma'am? I understand that. 3 Α. Okay. Thank you. 4 0. Now, do you understand that the 5 6 United States and OCA Greater Houston are plaintiffs 7 in this case? Α. I don't know what OCA Houston is. 9 Okay. I'll move on. Ο. It's not 10 important. 11 Do you understand that you were 12 disclosed as a potential witness in this case? 13 I do understand that. Α. 14 Do you know why that was done? Ο. 15 Α. Because I had some issues with my 16 attempts to -- to receive my application for a 17 mail-in ballot. 18 0. Any other reasons that you're aware of? 19 Α. No. 20 Okay. Now, I'm glad that you mentioned 0. 21 that, ma'am, because I do want to talk about that a 22 little bit. But I have a few preliminary questions 23 first.

Now, are you registered to vote?

24

25

Α.

Q.

Okay.

1 Α. I am. 2 Q. Where? 3 Α. Fort Bend County. 4 Fort Bend County. 0. Have you ever always been registered 5 6 there? 7 Well, since I lived there in -- since 46 Α. 8 years. 9 Have you ever been registered anywhere Ο. 10 else? 11 I was registered in Harris County prior Α. 12 to that. 13 Harris County. 0. 14 And Galveston County prior to that. Α. 15 Ο. And Galveston County. Okay. 16 And I think I remember reading some 17 great story about the first time that you registered 18 to vote in Galveston County. I think your father 19 drove you to get registered there, something like 20 that? He did. 21 Α. 22 Tell me a little bit about that. Ο. You had to be 21 to vote at that time. 23 Α. 24 Q. Okay. 25 My birthday is in March; so I was in Α.

Pamiel Gaskin

June 29, 2022

Page 20

1 school. He called me. He said, "For your birthday, 2 I'm going to come get you. Give me your schedule, your class schedule, and I'm going to come get you 3 and get you registered to vote." 4 So I told him what my class schedule 5 He showed up on a Thursday afternoon, about 1 6 was. 7 o'clock. Drove me back to Galveston County. That morning -- next morning took me 8 9 to register to vote, and drove me back to Austin 10 that afternoon so I could go to my 1 o'clock class. 11 Q. That's great. 12 Do you remember what class it was? 13 Α. No. No. I'm 75. That was -- I No. 14 was 21 then. 15 Ο. Sometimes when you've got great stories 16 like that, you remember random details, that sort of 17 thing. 18 Α. That's not a detail I remember. 19

- Q. Well, that's a long drive from Austin to Galveston.
- 21 A. Yeah.

20

- Q. Now, you said that you voted in the March 2022 primary; correct?
- 24 A. I did.
- 25 Q. Okay. Now, I understand you had some

1 form from you guys." 2 She said, "Well, the Secretary of State didn't send us the right forms in time, and we 3 didn't populate the correct form until around the 4 5 6th of January." I said. "Okay. Is the correct form 6 7 there now?" She said, "Yes." 8 9 So I pulled the correct form down. Filled it out. 10 Mailed it in. And I had just -- it 11 was -- this was on the 13th. 12 On the 20th, I had just finished a 13 League of Women Voters activity, and I was on my way 14 And Veronica called me and said, "Don't shoot 15 the messenger. Your application has been rejected." 16 I said, "For what?" 17 She said, "You didn't put the 18 correct ID on your application." 19 I said, "Veronica, what do you mean 20 I didn't put the right ID? It asks for my driver's license number, and that's what I put on there." 21 22 She says, "Well" --23 I said, "What was I supposed to put 24 on it?" 25 She said, "Well, I can't tell you,

1 because if I do, I could go to jail because of the 2 new law." And I said, "Well, obviously since 3 you're only asking for two things, it must be my 4 Social Security number." I said, "What number is 5 6 it?" 7 And she said, "It's the number you use when -- the ID you used when you first 8 9 registered to vote that's in your voter record 10 here." 11 And I said, "Well, Veronica, I 12 registered to vote 46 years ago in this county. 13 What" -- so I said, "Okay. It could only be one of two things, since you're only asking for two things. 14 15 "So is it my -- if I tell you what 16 it is, can you confirm that?" 17 She said, "Yes, I can do that." 18 I said, "Okay. Is it my Social 19 Security number?" 20 She said, "Yes, it is." 21 I said, "Thank you very much." 22 I pulled down another form. 23 this time, leaving nothing to chance, everywhere 24 there was a blank, even on the optional information, I filled it all in, and mailed it back on the 14th. 25

1 And on the 28th of January -- no, the 31st of January, I got my ballots in the mail. 2 28 days, three tries. 3 And then you submitted those ballots 4 correctly --5 I did. 6 Α. 7 -- correct? Yeah. Q. And did you track those ballots 8 9 after you submitted them? 10 Α. I did. 11 Where did you track them? 0. 12 On ballot tracker. You go to the County Α. 13 site, and it's a little thing you click on that says 14 "Track my ballot." 15 Ο. And I guess it lets you know once the ballot's been accepted? 16 17 It tells you. You can see when it was Α. 18 saved; you can see when it was accepted; and you can 19 see -- they use a funny term for it being processed. 20 And I don't remember what it is. But you can tell 21 when it's being processed. 22 And your and your husband's votes were 23 eventually processed; correct? 24 Α. Yes, they were.

25

Q.

Okay. Well, thank you for explaining

Pamiel Gaskin

June 29, 2022

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1 Ο. (BY MR. DiSORBO) Understand. And I'm 2 not asking if you know every provision that's in SB1. 3 4 I'm just saying, me and you sitting right now, any provisions of SB1 come to mind that 5 6 you oppose besides the ones we've already talked 7 about? Α. 8 No. Good to go, ma'am? 9 Ο. Okay. 10 Α. I'm good. 11 All right. So I want to talk a little Q. 12 bit about your membership in the League of Women 13 Voters. 14 Α. Okay. 15 0. And you had told me that you're a member 16 of both the League of Women Voters Texas and Houston 17 branches; is that right? 18 Α. Correct. 19 0. You were a member of the Houston branch 20 first; is that correct? 21 Α. Yes. 22 And when did you become a member? 0. 23 In probably the '90s. Α. 24 Okay. And how did you originally become Q. 25 a member?

Pamiel Gaskin

June 29, 2022

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A. Actually, one of my sorority sisters and I were talking about ways that we could become more civically engaged, and the League of Women Voters seemed to offer the things that we were interested in: voter registration; voter education. So we joined, she and I.

- Q. And you've held various positions in the Houston chapter over the years; is that right?
 - A. Correct.

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- Q. Which ones, if you can recall?
- A. I was the chairman of nonnaturalization voter registration, which is everything other than naturalization.
 - Q. As the name implies.
 - A. I was a board member.

I worked on our voter guide on the questions -- question development for candidates.

And I also worked on the voter guide following up with candidates to harass them into sending in their responses.

- Q. That takes some perseverance, doesn't it?
 - A. Yes, it does. And thick skin.
 - Q. Okay. So you did that.
- 25 Any other position -- you were -- so

1 you were the chair of that. What other positions 2 did you hold? That's it. 3 Α. That's the main one? 4 0. Uh-huh. 5 Α. Okay. And now you're a member of the 6 0. 7 Texas branch too; is that correct? Α. That's correct. 8 9 Okay. And I think you're a director in 0. 10 the Texas branch; is that right? 11 That's correct. Just effective June 1st Α. 12 of this year. 13 Of this year. Well, congratulations. 0. That's --14 15 Α. A few weeks ago. 16 Q. How did that come about? 17 Α. I was elected by the membership at our 18 state convention in April. 19 0. This April? 20 Uh-huh. Α. 21 How did you decide to run? Q. 22 I was asked to run. Α. The nominating committee asked me if I would consider running. 23 24 Did they --Q.

25

Α.

Last year.

1 0. Last year. 2 Α. Yes. When -- about what time of the year last 3 Ο. 4 year? 5 Probably October/November. Α. Of 2021? 6 0. 7 Uh-huh. Α. 8 Okay. And why did they want you to run? 0. 9 Been an active member. I quess they saw Α. 10 something, that they thought I could contribute on a 11 state level. 12 They thought you were a good candidate? Ο. 13 Thought I was a good candidate. Α. 14 Nothing more specific than that, that Ο. 15 you're aware of? 16 Not that I'm aware of. Α. 17 Okay. And I suppose you were Ο. 18 successful; you were elected? 19 Α. Well, they -- I made their vetting process, and they presented the slate to the 20 21 membership. 22 And the membership votes up or 0. Okav. 23 down on a slate, I suppose; is that right? 24 Α. Yes.

Now, what is -- strike that.

25

Q.

Okav.

1 REPORTER CERTIFICATION 2 THE STATE OF TEXAS : COUNTY OF HARRIS : 3 I, DENYCE SANDERS, a Certified Shorthand Reporter and Notary Public in and for the State of 4 Texas, do hereby certify that the facts as stated by me in the caption hereto are true; that the above and foregoing answers of the witness, PAMIEL J. GASKIN, to the interrogatories as indicated were made before me 6 by the said witness after being first duly sworn to 7 testify the truth, and same were reduced to typewriting under my direction; that the above and 8 foregoing deposition as set forth in typewriting is a full, true, and correct transcript of the proceedings had at the time of taking of said deposition. 9 10 I further certify that I am not, in any capacity, a regular employee of the party in whose 11 behalf this deposition is taken, nor in the regular employ of his attorney; and I certify that I am not 12 interested in the cause, nor of kin or counsel to either of the parties; 13 That the amount of time used by each party at 14 the deposition is as follows: 15 MR. DiSORBO - 02:45:34 16 GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this, the 1st day of July, 2022. 17 18 19 DENYCE SANDERS, CSR, RDR, CRR, TCRR 20 Notary Public in and for Harris County, T E X A S 21 My Commission Expires: 4-14-25 22 Certification No.: 4038 Expiration Date: 4-30-24 Magna Legal Services 23 1635 Market Street, 8th Floor 24 Philadelphia, PA 19103 215.207.9460 25 JOB NO. 845774

Exhibit 33

Transcript of the Testimony of Janet Eickmeyer

Date:

June 13, 2022

Case:

LA UNION DEL PUEBLO ENTERO vs GREGORY W. ABBOTT

Janet Eickmeyer June 13, 2022

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1
                    UNITED STATES DISTRICT COURT
                    WESTERN DISTRICT OF TEXAS
 2
                        SAN ANTONIO DIVISION
     LA UNION DEL PUEBLO ENTERO )
 3
     et al.,
          Plaintiffs,
 4
                                 ) Civil Action No. 5:21-cv-
                                         00844-XR
     v.
     GREGORY W. ABBOTT, et al.,
 6
          Defendants.
 7
 9
10
                ORAL AND VIDEOTAPED DEPOSITION OF
                           JANET EICKMEYER
11
                            JUNE 13, 2022
                              Volume 1
12
13
14
15
                    ORAL AND VIDEOTAPED DEPOSITION OF JANET
16
     EICKMEYER produced as a witness at the instance of
     Defendants, and duly sworn, was taken in the above-styled
17
18
     and numbered cause on the 13th day of June, 2022 from
     10:07 a.m. to 12:28 p.m. before Nancy Newhouse, a
19
20
     Certified Shorthand Reporter in and for the State of
21
     Texas, reported by oral shorthand, located at the law
22
     offices of Vinson & Elkins, 2001 Ross Avenue, Suite 3900,
     Dallas, Texas 75201, pursuant to the Federal Rules of
23
24
     Civil Procedure, and the provisions stated on the record
25
     or attached hereto.
```

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mail", did I read that correctly?

A. Yes.

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Q. So these are the disclosures which have identified you as someone with knowledge on absentee ballots by mail, do you have any reason to believe that you are here for any other reason?

MS. HARRIS: Objection, form.

- Q. (BY MR. WASSDORF) You can go ahead and answer.
 - A. No.
- Q. So when I'm referring to SB 1, as we just read in there, do you understand that I'm talking about the Election Integrity Bill that the legislature passed this past session?
 - A. Yes.
- Q. And as -- as we just read in this document, you're being identified on behalf of the League of Women Voters of Texas, do you know who the League of Women Voters of Texas is?
 - A. Yes.
- Q. And, you know, if I use the phrase League of Women Voters, or the League, will you understand that I mean the League of Women Voters of Texas?
 - A. Yes.
- 25 Q. What county do you live in?

1 Α. Dallas County. 2 Q. Roughly, where? Toward -- in Richardson, close to Collin 3 Α. 4 County, a few blocks south of Collin County. How long have you lived in Dallas? 5 0. 6 Α. All my life, except when I was in college. Τ 7 mean, my residence was here, but I was away at college. Okay. Where did you go to high school? 8 Ο. 9 Hillcrest High School. Α. 10 0. My -- my dad went to Jesuit, the old one down 11 on Oak Lawn. 12 He -- as I recall, though, he took 13 somebody to prom from Hillcrest, he didn't take you to 14 prom, did he? 15 Α. Pardon? 16 He didn't take you to prom, did he? Q. 17 Α. No, he did not. 18 Okay. So what's your educational background? 0. 19 Α. I have a BA from the University of Texas in 20 Austin, that's the last -- and some postgraduate work 21 but no postgraduate degrees. 22

- And what was that degree in? 0.
- It was in American history. Α.

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- Do you have any other education or training? Q.
- I did some postgraduate work. I was a Α.

Janet Eickmeyer June 13, 2022

Page 16

- 1 A. No.
- 2 Q. Have you ever donated to a political campaign?
- 3 A. Yes.
- 4 Q. And whose campaign?
- A. Again, over the years there probably -- there
 have been too many to -- to recall. Whether or not I

 donated, I don't know, probably to the McGovern

 campaign, Sissy Farenthold when she ran for governor. I

 my little \$5 and \$10 donations were spread out over

 candidates over a lot of years and a lot of elections.
 - Q. So have you ever donated to a Democrat's political campaign?
- 13 A. Yes.

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- Q. Have you ever donated to Republican's political campaign?
- 16 A. No.
- Q. Have you ever voted in the Republican primary?
- 18 A. Once.
- 19 Q. Do you remember when that was?
- A. Again, I believe it was in the 70s. That was it, and it was a state election.
- 22 | 0. That's all right.
- 23 A. I don't recall the precise year.
- Q. So are you a member of the League of Women Voters, Texas?

1 Α. I'm a member of the League of Women Voters of 2 Dallas, which makes me, entitles me to be a member of the League of Women Voters of Texas, also. 3 So let's talk about that for a minute, I Ο. quess. 6 Is there a National League of Women 7 Voters? 8 Yes, I believe so. Α. 9 And so then there's a State League of Women 0. 10 Voters, the League of Women Voters of Texas --11 Α. Yes. 12 0. -- right? 13 And then I quess there are also local 14 chapters, such as the League of Women Voters of Dallas? 15 Α. (No verbal response.) 16 And so you are a member of the League of Women 0. 17 Voters of Dallas, correct? 18 Α. Yes. And the League of Women -- I just this 19 last year joined the League of Women Voters of 20 Richardson. 21 Of Richardson? Q. 22 So do you pay dues? 23 Α. Yes.

How much are those dues, do you know?

I believe Dallas is \$75 a year, and as I

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Q.

Α.

Janet Eickmeyer June 13, 2022

Page 18

recall -- I'm not sure, because it seemed like they just raised their dues -- and I think Richardson was \$65, as I recall, not sure.

- Q. So just to be clear, you're a member of both the League of Women Voters of Dallas and the League of Women Voters of Richardson, correct?
 - A. Yes.

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- Q. And that entitles you to membership in the League of Women Voters of Texas?
 - A. As I -- yes.
- Q. But you just pay dues to Dallas and Richardson, right?
- A. Yes.
 - Q. Do these local leagues that you're a member of, do they have a leadership structure, or how -- how does that work?
 - A. They have boards of directors, so -- and committee chairs and --
 - Q. How are those individuals selected, do you know?
 - A. There is a nominating committee that meets, I guess -- I'm not sure if it's every year or every -- what the terms are. I haven't been that involved, so -- committee chairs, I think it's whoever steps up and takes a leadership role.

Q. And you're currently registered to vote in

2 Dallas County?

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- A. Yes.
- Q. And have you been registered to vote in Dallas County that entire period?
 - A. Yes.
 - Q. I hate to ask this, but you identified that time period based on your age, what's your birth date?
 - A. Year, or?
 - Q. Well, just your birth date in general, I mean yeah, including the year, the whole thing?
 - A. February 13, 1950.
- Q. Same age as my mom.

So do you vote frequently?

- A. When I know about the candidates, yes.
- Q. Have you ever voted in person in Dallas
 County?
- 18 A. Yes.
- 19 Q. Have you ever voted by mail in Dallas County?
- 20 A. Yes.
- Q. Approximately, how many times do you think you've voted by mail?
- A. I started voting by mail, I think with COVID, so for the past, I guess, two and a half years, three years, maybe, or -- I'm guessing.

Janet Eickmeyer June 13, 2022

Page 25

Α. Pardon?

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Q. Could -- could you tell us what this is?

On the League of Women Voters website they had Α. a, seems like a, among other information about upcoming meetings, and so forth. They said did you have difficulty voting? And click on to respond. And then they had a place where you could respond to that, so I -- after some frustration, I did.

And let me read this here. Ο.

So it says, "Your Election Experience, poor; Voting Experience" and it -- you replied, "I voted by mail and can't determine whether my ballot was counted. Dallas County is supposed to be calling me back, but the SOS website says I'm not even registered", and then it has your name and phone number", did I read that correctly there?

- Α. Yes.
- 0. So what -- what made your election experience poor?

MS. HARRIS: Objection, form.

Α. Soon after the first of the year, when it was possible, I downloaded the application for voting by mail from, I guess it's the Dallas County. I don't even know what entity the application was for absentee -- an absentee ballot to vote in the primary. And I filled it

out, I thought completely, and -- or according to instructions and mailed it in.

Soon after, a couple of weeks, I don't recall exactly how long after, I received a letter saying that my ballot request was rejected because of -- and they had highlighted either, I don't recall the exact wording, an incomplete or incompatible driver's license or social security number.

And they included another application, which I filled out, and that -- this time completely, including -- well, I thought was completely -- and sent it right away, and it too was rejected for the same reason. So I -- and another application was included with the second rejection.

Instead of filling that out, I called Dallas County. I went online, and it's -- there was -- Dallas County has a track your ballot link on their voting site, and -- or track your vote by mail, whatever it says. I'm not exactly sure of what the wording is.

So I went to that, and -- and I called the office -- I called the number. And I guess it was at this time, I don't remember -- I guess, I think the first time I did talk to somebody. One time I had to leave a message, and I guess that's what this is referring to, about them calling me back.

But I spoke with somebody, and I said my
absentee ballot request has been rejected twice, and I'd
like to know why. I thought it was complete. What do I
need to do in order to get an absentee ballot? And she
said -- she looked it up on her computer, she was very
nice and she said something about -- to the effect that
the numbers weren't, you know, it didn't -- they didn't
go in properly, or something.

They didn't -- they weren't -- and she looked again on another source. I don't know if it was a different website. I don't -- I don't know what she was doing. It was all on the computer, I assume. And I heard a voice of a man, who seemed to be in a supervisory capacity, saying no, that's okay we'll send her a ballot, she -- she's been approved. And I received an absentee ballot soon after that, which I filled out and mailed in.

Q. (BY MR. WASSDORF) Okay. I am now handing you what has been marked as Exhibit 3.

(Defendant's Exhibit No. 3 was marked for identification.)

A. Thank you

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Q. (BY MR. WASSDORF) Now this, likewise, looks like a survey response of -- of some kind.

If you will look at Line 27, you'll see

Q. But you don't have any specific recollection of having done this?

- A. It's an accurate representation, so I don't -- I don't recall, you know, what -- what it was in response to.
- Q. When it says that Dallas County shows it was received three times on two dates, do you know what that's referring to?
- A. I went to the track your ballot link on the Dallas County website, to see if my ballot had been received and counted, because there was a lot in the press at that time, in newspapers about ballots being rejected. I wanted to make sure that mine had been received, and -- and the mails are unreliable, had been received in a timely way and had been counted, in fact, counted.
- Q. And so on that website, it showed that your ballot had been received three times?
 - A. That's what it shows.
- Q. It -- it says here, and I think you've previously stated, that you called the -- the County about your ballot, did you ever hear back from the County?
- A. I don't remem -- recall if I -- they called me, or if I called them again. I think I called -- I

Janet Eickmeyer June 13, 2022

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Q. (BY MR. WASSDORF) -- correct?

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MS. HARRIS: Objection, form.

- A. Yes. And I know people who did that.
- Q. (BY MR. WASSDORF) Are you aware of any other members of the League of Women Voters who had their applications for ballot by mail rejected for not having, or not matching the number on the driver's license, election certificate, identification certificate or social security number?

MS. HARRIS: Objection, form.

- A. It doesn't ask for your voter registration number, I don't -- as I recall. No. I don't know of any, I -- I'm not -- I haven't been that involved.
- Q. (BY MR. WASSDORF) On your application that was rejected the first time, you included your driver's license number?
- A. As I recall, I just put the last four digits of my social security number, because I knew that offhand, and I wouldn't have had to, you know, dig out my driver's license and copy it down. So I -- I believe I just did my soc -- the last four of my social security number -- digits of my social security number.
- Q. And are you confident that you wrote it down correctly?
 - A. I -- it was -- I used as a college ID. I -- I

Janet Eickmeyer June 13, 2022

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1 know my social security number. I -- I could have 2 written it down incorrectly, I quess, but I don't recall. I don't -- I don't -- I didn't make a copy of 3 I don't know. 4 it.

- And the -- the second time you submitted an application, you included both your driver's license and the last four digits of your social security number?
 - Α. Yes.

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- And that application was initially rejected as 0. well?
 - Α. Yes.
 - Are you confident that you wrote down your driver's license number and last four digits of your social security number on that application?
 - Α. Yes.
- Have you ever been unable to vote by mail 0. because of the requirements of Section 5.02 of the Bill that we just read?
- MS. HARRIS: Objection, form, calls for a legal conclusion.
 - Α. No.
- 22 (BY MR. WASSDORF) So let's go to the next Ο. 23 section, it's Section 5.03. I think it's two pages 24 forward.
- 25 So this section requires that an

June 13, 2022 Page 72

1	CHANGES AND SIGNATURE
2	WITNESS NAME: JANET EICKMEYER
3	DATE OF DEPOSITION: 06/13/2022
4	DATE OF DEPOSITION: 00/13/2022
5	PAGE LINE CHANGE REASON
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1	I, JANET EICKMEYER , have read the			
2	foregoing deposition and hereby affix my signature that			
3	same is true and correct, except as noted above.			
4				
5				
6	JANET EICKMEYER			
7				
8				
9	THE STATE OF TEXAS)			
10	COUNTY OF)			
11	Before me,, on this			
12	day personally appeared JANET EICKMEYER , known to me (or			
13	proved to me under oath or through)			
14	(description of identity card or other document) to be			
15	the person whose name is subscribed to the foregoing			
16	instrument and acknowledged to me that they executed the			
17	same for the purposes and consideration therein			
18	expressed.			
19	Given under my hand and seal of office this			
20	day of,			
21				
22				
23	NOTARY PUBLIC IN AND FOR			
24	THE STATE OF			
25				

1	UNITED STATES DISTRICT COURT				
2	WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION				
3	LA UNION DEL PUEBLO ENTERO) et al.,				
4	Plaintiffs,)				
5	v.) Civil Action No. 5:21-cv-) 00844-XR				
6	GREGORY W. ABBOTT, et al.,) Defendants.)				
7					
8					
9					
10	REPORTER'S CERTIFICATION DEPOSITION OF JANET EICKMEYER				
11	JUNE 13, 2022				
12 13					
14	I, Nancy Newhouse, Certified Shorthand Reporter				
15	in and for the State of Texas, hereby certify to the				
16	following:				
17	That the witness, JANET EICKMEYER, was duly sworn				
18	by the officer and that the transcript of the oral				
19	deposition is a true record of the testimony given by the				
20	witness;				
21	That the deposition transcript was submitted on				
22	to the witness or to the attorney for				
23	the witness for examination, signature and return to me				
24	by				
25					

That the amount of time used by each party at 1 2. the deposition is as follows: 3 Ms. Ashley Harris - 00:00 Mr. Thomas Buser-Clancy - 00:00 Mr. Savannah Kumar - 00:00 4 Mr. Zachary David Dolling - 00:00 Ms. Kaylie Hidalgo - 00:00 Mr. William D. Wassdorf - 02:21 Ms. Lisa Cubriel - 00:00 Ms. Jacqueline Lysette Villarreal - 00:00 7 Ms. Josephine Ramirez Solis - 00:00 Ms. Tiffany Sue Bingham - 00:00 8 Mr. Anthony J. Nelson - 00:00 Mr. Michael Stewart - 00:00 9 Ms. Dana Paikowsky - 00:00 Ms. Barbara Nicholas - 00:00 Mr. Stephen J. Kenny - 00:00 10 11 That pursuant to information given to the 12 deposition officer at the time said testimony was taken, 13 the following includes all parties of record: 14 Ms. Ashley Harris, Attorney for Plaintiff ACLU FOUNDATION OF TEXAS, INC 15 5225 Katy Freeway, Suite 350 Houston, Texas 77007 16 Mr. Thomas Buser-Clancy, Attorney for Plaintiff OCA-GH ACLU FOUNDATION OF TEXAS, INC 17 5225 Katy Freeway, Suite 350 18 Houston, Texas 77007 19 Mr. Savannah Kumar, Attorney for Plaintiff OCA-GH ACLU FOUNDATION OF TEXAS, INC 20 5225 Katy Freeway, Suite 350 Houston, Texas 77007 21 Mr. Zachary David Dolling, Attorney for Plaintiff TCRP 22 TEXAS CIVIL RIGHTS PROJECT 1405 Montopolis Drive 23 Austin, Texas 78741 24 25

1 PARTIES OF RECORD Continued 2 Ms. Kaylie Hidalgo, Attorney for Plaintiff TCRP 3 TEXAS CIVIL RIGHTS PROJECT P.O. BOX 17757 4 Austin, Texas 78760 Mr. William D. Wassdorf, Attorney for Defendant OAG ATTORNEY GENERAL KEN PAXTON OFFICE 6 DEPUTY CHIEF, SPECIAL LITIGATION UNIT 7 209 W. 14th Street Austin, Texas 78701 8 Ms. Lisa Cubriel, Attorney for Defendant Bexar County 9 ASSISTANT DISTRICT ATTORNEY CIVIL DIVISION 101 West Nueva Street, 7th Floor San Antonio, Texas 78205 10 11 Ms. Jacqueline Lysette Villarreal, Attorney for Defendant Hidalgo County 12 District Attorneys Office 100 East Cano Street 13 Edinburg, Texas 78539 14 Ms. Josephine Ramirez Solis, Attorney for Defendant, Hidalgo County Elections Administrator, Yvonne Ramón 15 ASSISTANT CRIMINAL DISTRICT ATTORNEY 100 East Cano 16 Edinburg, Texas 78539 17 Ms. Tiffany Sue Bingham, Attorney for Defendant Harris County Attorneys Office 18 1019 Congress Street, 15th Floor Houston, Texas 77002 19 Telephone: (713) 274-5132 20 Mr. Anthony J. Nelson, Attorney for Defendants Travis County Rebecca Guerrero and José Garza 21 ASSISTANT COUNTY ATTORNEY, TRAVIS COUNTY ATTORNEY'S OFFICE 22 314 West 11th Street, Suite 500 23 Mr. Michael Stewart, Attorney for Defendant DOJ UNITED STATES 24 950 Pennsylvania Avenue, Northwest Washington, DC 20530 25

1	PARTIES OF RECORD Continued	
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12	wasiiiigcoii, be 20001	
13	I further certify that I am neither counsel	
14	for, related to, nor employed by any of the parties or	
15	attorneys in the action in which this proceeding was	
16	taken, and further that I am not financially or otherwise	
17	interested in the outcome of the action.	
18		
19	Certified to by me this 30th day of June, 2022.	
20	Manay Nawhouse	
21	NANCY NEWHOUSE, Texas CSR 9000	
22	Expiration Date: 08/31/23	
23	Firm Registration No. 633 Magna Legal Services	
24	16414 San Pedro, Suite 900 San Antonio, Texas 78232	
25	(210) 697-4300	

Exhibit 34

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1
                   UNITED STATES DISTRICT COURT
                      WESTERN DISTRICT OF TEXAS
 2
                        SAN ANTONIO DIVISION
 3
     LA UNION DEL PUEBLO ENTERO,
     et al.,
 4
         Plaintiffs,
                                    ) CASE NO. 5:21-cv-844-XR
 5
     vs.
                                    ) [LEAD CASE]
     GREGORY W. ABBOTT, et al.,
 6
          Defendants.
 7
     OCA-GREATER HOUSTON, et al., )
         Plaintiffs,
 8
                                    ) CASE NO. 1:21-cv-0780-XR
 9
     vs.
     JOHN SCOTT, et al.,
10
          Defendants.
11
     HOUSTON JUSTICE, et al.,
         Plaintiffs,
12
                                    ) CASE NO. 5:21-cv-0848-XR
     vs.
13
     GREGORY WAYNE ABBOTT, et al.,)
         Defendants.
14
     LULAC TEXAS, et al.,
15
          Plaintiffs,
16
                                   ) CASE NO. 1:21-cv-0786-XR
     vs.
     JOHN SCOTT, et al.,
          Defendants.
17
18
     MI FAMILIA VOTA, et al.,
          Plaintiffs,
19
                                    ) CASE NO. 5:21-cv-0920-XR
     vs.
20
     GREG ABBOTT, et al.,
          Defendants.
21
     UNITED STATES OF AMERICA,
22
          Plaintiff,
                                    ) CASE NO. 5:21-cv-1085-XR
23
     vs.
24
     THE STATE OF TEXAS, et al.,
         Defendants.
25
```



Jeannie Lewis August 01, 2022
Page 2

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3					
4	**************************************				
5					
6					
7	AUGUST 1, 2022				
8	(Taken Via Remote Videoconference)				
9	**************************************				
10					
11					
12	ORAL AND VIDEOTAPED DEPOSITION OF JEANNIE LEWIS,				
13	produced as a witness at the instance of the STATE				
14	DEFENDANTS, and duly sworn, was taken in the				
15	above-styled and numbered cause on the 1st of August,				
16	2022, from 10:02 a.m. to 4:09 p.m., before Mona S.				
17	Whitmarsh, Certified Shorthand Reporter, in and for the				
18	State of Texas, reported by machine shorthand via Zoom				
19	videoconference, pursuant to the Federal Rules of Civil				
20	Procedure and the provisions stated on the record or				
21	attached hereto.				
22					
23					
24					
25					



1	APPEARANCES
2	(ALL APPEARING VIA ZOOM)
3	
4	FOR THE PLAINTIFFS, OCA-GREATER HOUSTON, LEAGUE OF WO VOTERS OF TEXAS, REVUP-TEXAS, and WORKERS DEFENSE ACT FUND AND JEANNIE LEWIS:
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24	
25	



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14	
15	VIDEO TECHNICIAN: Ms. Emma Bailey MACNA LEGAL GERMACHE
16 17	MAGNA LEGAL SERVICES ALSO PRESENT:
18	Ms. Jacqueline Villarreal HIDALGO COUNTY DISTRICT ATTORNEY'S OFFICE
19	Ms. Caren Short
20	Mr. Thomas Tai Ms. Martina Berger
21	LEAGUE OF WOMEN VOTERS
22	Ms. Lauren Putnam UNITED STATES DEPARTMENT OF JUSTICE
23	Mr. Nick Adkins
24	FRIED, FRANK, HARRIS, SHRIVER & JACOBSON LLP
25	Mr. Sameer S. Birring HARRIS COUNTY ATTORNEY'S OFFICE



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I have served on juries, but I don't 1 No. 2. recall ever testifying, no. 3 Have you ever testified in another proceeding, 0 4 like before the legislature? I have testified before elected bodies like the State Board of Education. I have testified on 6 school books before them. 7 Have you ever been involved in a lawsuit 8 0 9 before? 10 Α No. 11 Where did you go to school? 0 12 Α I went to school from 12 years old until I 13 graduated at Butler High School in Huntsville, Alabama. 14 0 Did you go to any school after that? 15 I went to college in Montevallo, 16 Alabama, and was there four years and graduated. 17 then later I went to TWU, Texas Woman's University for a 18 master's degree in education. 19 And then after that, I went to Texas 20 University [sic] to work on my MBA. And I got tired of 21 commuting, because I live in San Marcos here in Hays 22 County, and I transferred to Texas State University to 23 finish my MBA there.



Wonderful.

Are you married?

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then it moved up the ladder to the state president, and I think there was a decision made that what I had to say would be valuable information.

And did the league put out a request for 0 information about anyone who had troubles with SB 1 or did you seek out members of the league with your -- what happened to you?

MS. KUMAR: Objection, form.

You can answer. 0

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I don't remember that they put out a notice about problems with SB 1. It seems like we were talking -- and this was on Zoom -- in some kind of meeting and we were sharing experiences we had had with voting this voting season. I think it started out more informal. I am not sure of the -- if we were actually asked to come forward.

Okay. And when you said you talked with local members of the league, was that what you were referring to?

Α Yes.

Okay. We will get back to that in just a minute. Let me ask you some questions about the league. Is that all right?

Α Sure.

Q So you testified that you were a member of the



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League of Women Voters of Texas, correct?

A Yes. When you are a league member, you are a member of your local organization, which is League of Women Voters of Hays County, but then you are automatically a member of the state league, which is the League of Women Voters of Texas, and you are also a member of the League of Women Voters of the United States. So it's kind of a triad or triple level.

- O Okay. As a member, do you pay dues?
- A Yes.

2.

- O Annual dues?
- A Yes.
 - Q How much are annual dues, if you remember?
 - A I think it's about \$65.
 - Q And all members pay each year?
- A Yes. There is a special break for students and if you have a family, like both husband and wife want to join, there is a discount for the second person. And the \$65 is just something I am guessing. I pay dues to so many organizations. I -- I don't specifically remember, but it's probably around that amount.
 - Q That's fine.
- Is it all right if I just say, "the league," instead of "the League of Women Voters of Texas" for each question?



Jeannie Lewis

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A Barbara Nichols -- yeah.

2.

Q But you said you don't -- but books is a little bit more of a chore to do with the magnifying glass?

A Yeah. The print isn't as big as those names. When you don't have the video on, your name is printed much bigger than the names below. The people -- like your name and my name is in much smaller print.

MS. KUMAR: Zachary, we have been going for just over an hour. I don't know if this might be a good time for a break or if you want to finish this line of questions.

MR. BERG: Yeah. Let's take a break. 15 minutes?

MS. KUMAR: Sounds good.

MR. BERG: Back at 11:25?

MS. KUMAR: Sounds great.

THE VIDEOGRAPHER: It is 11:10 a.m. and we are off the record.

(RECESS FROM 11:10 A.M. TO 11:26 A.M.)

THE VIDEOGRAPHER: Time is 11:26 a.m. We are back on the record.

Q (BY MR. BERG) Ms. Lewis, right before we went off the record, we were talking about challenges that you experienced during your life as a result of your



Jeannie Lewis August 01, 2022 Page 45

disability; is that correct?

2.

- A During my life?
- Q In your life.

A Yeah. At some point in my life. I was not born or lived, you know, a great deal of my life disabled.

Q When did it start? When did you notice it?

MS. KUMAR: Objection, form.

A I think it started with arthritis in my knees, and so I had my first knee replacement -- gosh, I don't know how many years ago. Then I had to have my second knee replaced, then my hip, and then my other hip. And it has just gradually reduced my mobility.

And then the macular degeneration -- I once had 20/20 vision, but it has gradually been compromised. My hearing has always been normal until I got older. Now I am wearing hearing aids. And most of the time that works okay, but sometimes I have to have people repeat things.

I have a heart murmur and I am under a cardiologist's care. I am on blood thinner and I am on medication for high blood pressure and medication for cholesterol. And I -- what else do I have? Did I say I have a torn rotator cuff in my shoulder?

Q No.



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supposed to get an exam with the retina specialist every I put that off because of COVID. six months. did, a few months ago, went ahead and looked up a new retina specialist since mine was no longer coming to San Marcos.

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And I went, you know, with nervous trepidation because they are right in your face and I have got my mask on, but still. So, you know, it's been one of the biggest problems, I think.

Well, my joints, too. Just walking, standing. Oh, I have spinal stenosis, which causes my back to hurt. If I am just up for a few minutes, my back starts hurting until I sit down again.

The macular degeneration, is that progressive? Will that get worse?

Yes. Supposedly it does get worse over time. Α I -- like I say, I take this medication that's recommended by my eye doctor. I am supposed to have that exam every -- actually, when I went this time, he said I could come back in a year, but they check to make sure it hasn't turned from dry to wet.

If you have wet macular degeneration, you have to get shots in your eyeball, because I have friends that have got -- had to get that. So far I haven't developed that.



product because we don't hear about having to sanitize things you buy anymore.

Q Perfect.

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So you voted in the 2022 March 1st primary, correct?

- A Yes. I tried.
- Q You were unsuccessful in voting?
- A Finally I was successful, but I had to go through this horrible ordeal.
 - Q What was the -- so you voted absentee --
- A Well, I voted --
 - Q -- right?
- 13 | A -- mail-in ballot.
- 14 | O Mail -- my apologies. Mail-in ballot.
 - So you filed an application for ballot by mail at some point?

A Yes. And I really want to emphasize the previous two years I had no trouble, but I knew that you had to apply for a ballot by mail for the whole year and then it expired. So in January, rather -- I really didn't like going online to ask for an application for mail-in ballot. I am just so used to dealing with the county election administrator's office.

I just called and asked them to send me an application for a mail-in ballot and they sent it by



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mail and I filled it out very carefully and mailed it in and thought everything was okay.

And then I get a letter from the county election administrator's office saying my application has been rejected. And I --

O And -- oh.

2.

A -- voted -- I voted two years for mail-in ballot and no problem, but they said my application -- and in the same letter was an app- -- a voter registration application.

I already had my new voter registration card, which was sent out every two years and -- I already had my card, but they said they put that -- I had to apply for another voter registration card.

And can I tell you, I called -- I called the county election administrator's office again, and I said, "What's going on? I have already filled out" -- "I mean, I have already got my voter registration card. I have been registered since 1985. Why do I have to fill out an application for a new voter registration card?"

And they said because back in 1985 -- how many years ago is that? I can't even count. Back in 1985 when I filled out my voter registration application, the identification I put on there was my Social Security



number, not my driver's license. And the application I filled out in 2022, and probably the previous years, too, I put my driver's license number and not my Social Security number.

2.

Because since 1985, the Social Security

Administration has come out with the advice not to use
your Social Security number for identification on things
like that. I mean, you notice now, when you go to the
doctor's office, they don't ask for your Social Security
number. They ask your birthday.

So I thought it was not wise to put my Social Security number on this. And since I use my Texas driver's license -- I have to use it every time I vote now -- I thought, you know, they would have that record of my Texas driver's license, but no.

So I filled out -- you know, they sent me a new application. No. I didn't have to fill out a new application. I just had to fill out a new voter registration application, so then they had the voter registration application with my Social Security number on it that could match the application for the ballot by mail that I had already sent in.

Q But you didn't -- they didn't ask you to fill out a new application for ballot by mail?

A No. They used that one and they just compared



And then I began to hear on the news that mail-in ballots were being rejected. They eventually were rejected by the thousands. And I began to worry about my ballot that I had mailed in, so I did what I usually do. I called the Hays County election administrator's office and I said, "I have mailed in my mail-in ballot; I want to make sure that you have it and it's okay."

And they said, "Yes, we have it, and it's okay." So I was relieved for a few hours. That same day I get in the mail from the county election administrator's office that my mail-in ballot had been rejected.

O Okay.

2.

A They didn't include a new ballot or anything. You know, it was just -- just rejected. And, obviously, it had to be fixed or whatever. So, again, I called the county election administrator's office and I said, you know, "I don't understand why my ballot was rejected, but, you know, what can I do?"

And the staff person I talked to said, "Well, it's getting kind of close to the election." I think it was a week or maybe a little more away. She said, "mail is so slow; if we mail the new ballot to you and then you mail it back, it might not get here in time, so you



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are going to need to come in person to fix it."

2.

The whole reason I was doing a mail-in ballot was so I wouldn't have to go in person, but I was so desperate to have my vote counted. I mean, that's been my life ever since we moved here. With the League of Women Voters and all the things I do with elections, I was determined to have my vote counted.

So I go over to the county election administrator's office, which is in our Government Center. And I pull in the parking lot and at the very entrance to the parking lot, of course, there were people out there with campaign signs. And the chair of the Democratic Party came over to my window and rolled down my -- the window -- no. That was another occasion. Never mind.

Anyway, so I drove in the parking lot and it was totally full. And I thought, Hey, this is a pretty good sign. All these people are voting?" Well, I found out later they were having two trials there and so that's what it was.

So I -- I drive my car over to the handicapped place, and every handicapped spot was taken. And so I pulled over to the side so I could see the handicapped spots and know when one pulled out. Now, a few of those were for curbside voting, that people were busy doing



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2.

vote, actually, and one of the polling workers was sitting at the door, a man, and he motioned for me to go over to the table. And I said, "No, I am not here to vote; I'm here because I need to go to the county election administrator's office to fix a ballot." And I said, "What is the shortest way to get to the county election administrator's office?"

And he could see I had a cane. I was probably out of breath. And he said, "There is no short way.

You have to go down the hall and then you turn here and you turn" -- you know, he was giving me all this.

And I said, "But they said I could come in the back door."

And he said, "Well, they should not have told you that."

Well, there was a female election worker who heard all this and she came over and she said, "I will show her." So we went out of that room. Directly across the hall was an unmarked door, which was the county election administrator's office back door, and she opened it and took me in. Thank goodness.

And there were a bunch of people in there all working and one of the staff came over and I told her what I was there for and she brought me a chair because I really needed to sit down by then. And she went and



Jeannie Lewis August 01, 2022
Page 100

looked up my ballot and -- the one that had been rejected -- and she brought it over to me.

2.

And they had figured out this way to open up a part of the flap on the envelope to show some writing without actually unsealing the ballot itself in some way. I don't know how it was. But, anyway, she showed me this writing under the flap of the envelope where you lick and seal it. It was under the flap, and she showed me this writing and said, "You were supposed to put your ID number here."

And I said, "What?" The print was so small. It must have been 5 or 6 size. I mean, there was no way I could read any of that, much less think about looking under a flap for it. But there it was hidden -- hidden under the flap. And I found out later that's the problem most people had had with the ballot by mail is that those -- those hidden tiny prints.

Well, she showed me this line where I could put my Texas driver's license and my Social Security card number. Well, I had learned I better do the Social Security. So I knew that by heart. I wrote that down on the flap. And then I couldn't read the number on my driver's license, so I handed her my driver's license and had her read the number to me, and I wrote that number down.



Page 176

THE STATE OF TEXAS:

COUNTY OF HARRIS:

I, Mona S. Whitmarsh, a Certified Shorthand
Reporter, hereby certify that the foregoing testimony
was given before me after the Witness had been first
duly sworn.

I further certify that this deposition was transcribed under my direction and is a complete and correct transcript of the proceedings; and that it is being filed with the Court in accordance with the Stipulation of Counsel contained in this deposition.

I further certify that I am neither attorney for, related to, nor employed by any of the parties to the lawsuit in which this deposition was taken. Further, I am neither related to nor employed by any attorney of record in this cause; nor do I have a financial interest in the matter.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 15th day of August, 2022.

Mona S. Whilmarsh

Mona S. Whitmarsh
Texas CSR No. 3986
Expiration Date: 04/30/24

MAGNA LEGAL SERVICES Firm Registration No. 622 866-624-6221 www.MagnaLS.com



Exhibit 35

DECLARATION OF CYNTHIA EDMONDSON

My name is Cynthia Edmondson. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge:

- 1. I am a resident of Houston, Texas, and am an eligible voter in the state of Texas.
- 2. I am registered to vote in Harris County, where I reside.
- 3. I am 80 years old.
- 4. I believe I have been registered to vote in Texas since about the time I moved back to Texas in the 1970s. I try to vote in every election.
- 5. I am a member of the League of Women Voters of Texas. I have been a member for several years.
- 6. I have been voting by mail since approximately 2008, when I turned 65 years old.
- 7. I live with multiple sclerosis. My symptoms would make it difficult for me to vote in person. As a result of multiple sclerosis, I have difficulty walking and balancing. I am prone to falling, so I use a walker for assistance and a wheelchair for longer distances. I also get tired easily and use the restroom frequently; it would be difficult for me to stand in a long line to vote in person. Multiple sclerosis also causes my handwriting to be shaky and unclear.
- 8. On or about January 3, 2022, I submitted my application to vote by mail in the March 1, 2022 primary election. On that application, I included my driver's license number. I did not include my social security number because the application forms said to only do so if I did not have a driver's license number.

- 9. A few days later, the Harris County Elections Department called me, and an employee told me that the driver's license number I included on my application did not match the number that I had used when I registered to vote. The employee I spoke with advised me to include both my driver's license number and social security number in my application to vote by mail.
- 10. On or about January 7, 2022, the Harris County Elections Department sent me a new application to vote by mail. I once again filled out the application to vote by mail. I followed the advice I had received from the Harris County Elections

 Department to include my social security number on the application form in addition to my driver's license number. Doing so made me uncomfortable because the form said to only include a social security number if I did not have a driver's license number. Because I do have a Texas driver's license, it felt wrong not following the instructions as written.
- 11. Afterwards, I received my ballot to vote by mail. On my ballot, I included both my driver's license and social security number. I believe my ballot was counted.
- 12. During my earlier phone call, the Harris County Elections Department had also advised me to update my voter registration to include both my driver's license number and social security number, but not to do so until after my vote-by-mail application was processed, so as not to disrupt that process. After I returned my ballot, I updated my voter registration.
- 13. I was annoyed and confused throughout my voting experience. The process was cumbersome, and it felt unfair to have to figure out why my application was

rejected and how to fix it. It felt like the form was intentionally tricky to prevent people from voting.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/22/2023

Docusigned by:

Cynthia Edmondson

66406881C637485...

Cynthia Edmondson

Exhibit 36

DECLARATION OF PATRICIA BUCK

My name is Patricia Buck. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge:

- 1. I am a resident of Houston, Texas, and I am an eligible voter in the state of Texas.
- 2. I am registered to vote in Harris County, where I reside.
- 3. I was born in 1952.
- 4. I have been registered to vote in Texas since approximately 1998. I try to vote in every election.
- 5. I am a member of the League of Women Voters of Texas and have been a member for several years.
- 6. I have always voted in person in the past, but in 2022 my husband and I planned to begin voting by mail.
- 7. My husband and I wanted to vote by mail because we both have health conditions that make it difficult for us to stand in line at a voting location. We both have diabetes, and my husband has congestive heart failure. Sometimes voting locations have chairs to sit in while you are waiting, but often the only option is to stand in line. In order to comfortably and safely vote in person, we often have to make several trips to a voting location until we see the line is short enough for us to vote.
- 8. Because of these issues with voting in person, my husband and I started the process of applying to vote by mail in 2022. However, when I received the application, I saw that it asked for our social security numbers. I also learned that

the mail-in ballot requires voters to include their social security number on the outside of the ballot's carrier envelope. My husband and I have always been taught that it is crucial not to share our social security numbers with others, and to keep them private. I have similar concerns about sharing my driver's license number because of potential identity theft issues.

- 9. In 2022, I also heard reports about high rates of mail-in applications and ballots being rejected. I was also concerned that if we voted by mail, our votes might not be counted because of these rejection issues.
- 10. Even though voting in person is difficult due to our physical issues, my husband and I did not go forward with applying to vote by mail because we were scared by the requirements to list our social security and driver's license numbers and reports of high rejection rates. Because voting in person is so difficult due to our health, I wish we could vote by mail without these concerns.
- 11. Instead, my husband and I voted in person during elections in 2022 and will continue to vote in person because of these concerns.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____

Patricia Buk
2E5247FB543D4BD...

Patricia Buck

DECLARATION OF MILAN SUAREZ

My name is Milán Hortencia Suárez (she/they). I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge:

- 1. I am a resident of Houston, Texas, and I'm an eligible voter in the state of Texas.
- 2. I am registered to vote in Harris County, in which Houston is located.
- 3. I have been a member of the League of Women Voters of Texas since September 1, 2021.
- 4. I am 21 years old.
- 5. I first registered to vote in Texas in 2021 when I was still located in Texas.
- 6. I voted for the first time in Texas in 2022.
- 7. I am currently located in Seattle, Washington while I am attending college at the University of Washington. I currently intend to return to Texas after college.
- 8. I voted by mail in the 2022 general elections. I voted by mail because I was away from my county of residence while attending college at the University of Washington.
- 9. On or about October 4, 2022, I printed out an application to vote by mail in the November 8, 2022 general election.
- 10. That same evening, I filled out my application and then mailed it to the Harris County Elections Administrator's Office the following day on October 5, 2022.
- 11. I received a letter from the Harris County Elections Administrator's Office, dated October 13, 2022, at my home residence in Harris County as well as my Seattle

- mailing address, notifying me that my application for a ballot by mail had been rejected.
- 12. The document attached as Exhibit A to this Declaration is a true and correct copy of the letter I received from the Harris County Elections Administrator's Office notifying me of my rejected application for ballot by mail.
- 13. The letter stated that my Personal Identification Number is not associated with my voter record and that my application was defective because my voter registration record did not have a proper identification number, even though the identification numbers I provided on my application were all correct.
- 14. Specifically, I had provided my Texas driver's license number, my Social Security number, and my Texas Voter Registration number (VUID) on my application for a ballot by mail.
- 15. In the days that followed, I was preparing to update my voter registration record and reapply for a ballot to vote by mail. On October 27, 2022, my family received a packet at my home residence in Harris County with the mail ballot I had applied for from the Harris County Elections Administrator's Office.
- 16. My family mailed the Harris County mail ballot packet to me at my Washington State address, and I received it on November 1, 2022.
- 17. Because it appeared to me that the Harris County Elections Administrator's Office had fixed the ID issue on its own and evidently approved my mail ballot application, I did not proceed with updating my voter registration record or completing the reapplication process for a ballot by mail.

- 18. I was still confused as to why my ID numbers were initially considered incorrect, and why my mail ballot was subsequently sent to my Harris County home address instead of my Washington State mailing address.
- 19. Although I only submitted one application to vote by mail, the rejection letter and the subsequent mailing of a mail ballot to my Harris County address instead of my Washington State address caused me a significant delay in voting.
- 20. On November 4, 2022, I mailed my ballot to the Harris County Elections

 Administrator's Office, one month after I had started the process to vote by mail.
- 21. After mailing in my ballot and through the hours after the election ended, I checked the status of my ballot through the Harris County Mail Ballot Activity Lookup portal on the Harris Votes website, which indicated that my ballot had not been received or counted. To this date, it is not clear to me whether my ballot was counted because the portal does not show that my vote was received or counted.
- 22. It is my belief that my mail ballot was ultimately not counted due to the delays incurred by the apparent confusion over the ID numbers on my application or voter registration record.
- 23. My extended family includes many longtime voters who vote in nearly every election. I have family members who are also members of the League of Women Voters of Texas, and I have been raised to consider voting an important civic duty and an inherent right. During high school I worked at a polling place and I have helped to register voters because I am a strong supporter of having equal access to voting for all persons who are eligible.

- 24. My experience trying to vote by mail in Texas was extremely stressful and confusing and I came close to giving up on the whole process. But because my family taught me the importance of voting, I tried my best to proceed with the process, with my family's support, to get my vote in on time.
- 25. Because I will still be attending college out of state this year and next year, I intend to vote by mail in the future, but I worry that my voting rights will be violated if my future mail ballots are not counted again due to issues with the current identification requirements for voting by mail in Texas.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 18, 2023.

Milán Hortencia Suárez

Milmaines

DECLARATION OF DEBORAH CHEN

My name is Deborah Chen. I am over the age of 18 and capable of making this declaration.

The facts stated herein are within my personal knowledge.

- I am a lawyer and the Civic Engagement Programs Director for OCA-Greater Houston (OCA-GH). OCA-GH is the Greater Houston arm of the national organization OCA – Asian Pacific American Advocates. I am also the Executive Vice President of OCA – Asian Pacific American Advocates.
- 2. OCA-GH is a non-profit organization with its main offices in Houston, Texas.
- 3. OCA-GH is a non-partisan organization whose mission is to advance the social, political, and economic well-being of the Asian American and Pacific Islander ("AAPI") community, primarily in Harris, Brazoria, and Fort Bend counties, with a focus on developing advocacy, leadership, and civic engagement participation within that community. The four main goals of OCA-GH's mission are to (1) advocate for social justice, equal opportunity, and fair treatment; (2) promote civic participation, education, and leadership; (3) advance coalitions and community building; and (4) foster cultural heritage.
- 4. OGA-GH has 19 board members, approximately 160 dues-paying members who elect leadership, and several hundred volunteer members who work to fundraise and implement OCA-GH's programs throughout the greater Houston area. Many of OCA-GH's volunteer members are high school and college students. As volunteer members participate in activities they may be promoted to OCA-GH staff, meaning they are paid wages for their work. For example, a college student who consistently participates in OCA-GH's door knocking or field campaigns may

- be promoted to "Team Lead," and then be responsible for managing others in those programs.
- 5. OCA-GH offers a variety of programs to empower the AAPI community it serves, including leadership training; education workshops; arts and cultural events; advocacy campaigns, including creating and distributing fliers in multiple languages; facilitating voting, including by providing rides to the polls and hosting candidate forums; voter registration & voter pledge drives; legal clinics; internships; scholarships; mentorship and civic engagement; and monitoring of and advocacy for national and local public policy. As part of its efforts to increase civic engagement, OCA-GH commits ample member time and resources each year to conducting citizenship drives that help hundreds of AAPI community members gain citizenship; providing voter education and civic engagement trainings; and registering those new citizens to vote and providing them with voter education trainings after they gain citizenship.
- 6. To meet its objective to increase voter participation, OCA-GH engages in and promotes a wide variety of voter registration, voter engagement, voter education, get-out-the-vote, exit polling, and election protection efforts across Greater Houston, including in the Sugar Land region of Fort Bend County. For example, OCA-GH has coordinated with Harris County to provide public demonstrations of how to use voting machines; recruited volunteers to take seniors to go vote; assisted seniors in early voting; directed voters to the League of Women Voters' voter guide (and originally funded LWV to translate their voter guide into Chinese); coordinated with EMGAGE and other AAPI community organizations to host

- events to promote civic empowerment; and partnered with the Asian American Legal Defense and Education Fund national exit polling and election protection/election observation programs.
- 7. A substantial portion of OCA-GH's membership, and the AAPI community it serves, are elderly and/or have limited English proficiency ("LEP"). For example, many AAPIs in the Greater Houston area sponsor their parents to live with them in multigenerational households pursuant to family-based immigration visas. Similarly, much of the Vietnamese community, which is very large in Houston, came to the United States as adults after the Vietnam war, and are now elderly. OCA-GH therefore focuses in part on senior outreach and has made such efforts both pre- and post-COVID, including through a health coalition group that involves arranging monthly bus trips for seniors for recreation, seminars, and health fairs.
- 8. OCA-GH's mission has been frustrated by SB 1's new ID matching requirement that a voter provide an identification number that matches what is in their voter file on their application for a ballot by mail ("ABBM") and carrier envelope.
- 9. OCA-GH has many members who have voted by mail in the past, as have many members of the AAPI community OCA-GH serves. Many of these voters qualify due to age, disability (typically low vision), or both. Many are also LEP voters.
- 10. Many of these elderly OCA-GH and community members have expressed fears that they will have their ABBM or mail-ballot rejected under SB 1 and that they won't receive notification about such errors in time to fix them before the election. They have also expressed fears that they won't remember which number they used to register to vote, or that they will suffer identity theft due to putting their

- identification numbers on an envelope going out into the public with no idea who will see it.
- 11. Historically, OCA-GH would have provided mail-in voting assistance, including voter education efforts regarding SB 1's ID matching requirements, that would help assuage these fears. As the result of other SB 1 provisions, however, OCA-GH no longer provides this sort of mail-in voting assistance.
- 12. Specifically, and as relevant to OCA-GH's challenge to SB 1's ID matching requirements: Before SB 1's passage, OCA-GH arranged and publicized in-person candidate forums at several locations frequented by the community, like the Chinese Community Center and the library. Attendance at these forums varied from approximately 100 to 400 or more people. OCA-GH would set up a table at these candidate forums and provide voting assistance to any OCA-GH member or community member seeking assistance for any reason, including due to a language barrier, to low vision, or to being unfamiliar with the voting process as a first-time AAPI voter. This included helping voters complete their ABBMs, mail-ballots, and registration forms, to explaining the election process and what was on the ballot. Those seeking assistance were frequently limited English proficiency ("LEP") voters, elderly voters, or both. OCA-GH routinely provided the same sort of voting assistance with ABBMs and mail-in ballots to any OCA-GH member or community member who requested it during OCA-GH's voting machine demonstrations, voter training events, frequent door knocking and field campaigns, and exit polling survey tables. OCA-GH also routinely held in-person mail-in voting training sessions at which it would explain how to obtain an ABBM and vote by mail to

- OCA-GH members and community members and maintained a presence at the Tracy Gee Community Center, and at early voting centers, to provide mail-in voting assistance to AAPI seniors—frequently LEP or low vision voters—who sought out OCA-GH's help.
- 13. Before SB 1's passage, OCA-GH paid its staff and members competitive wages for their work during these in-person candidate forums, voting machine demonstrations, door knocking and field campaigns, exit polling, and other activities, as well as provided staff and members with bottled water, sports drinks, snacks, and other forms of refreshment in exchange for their services. OCA-GH also provided food and refreshments to all attendees at its election-related community events, to encourage staff, member, and other attendee participation; to make things easier on attendees who might be pressed for time; to show appreciation for the community; and because providing food and refreshment is a common cultural courtesy.
- 14. Following the passage of SB 1, however, OCA-GH has made the organization-wide decision to cease providing mail-in voting assistance, as well as severely scaled back its activities during which mail-in ballots may be present, due to the fear of criminal prosecution pursuant to SB 1 Sections 6.06 and 7.04. Specifically, OCA-GH fears that by paying its staff and members who provide mail-in voting assistance, or by supplying them with food of drinks—or by doing the same for staff and members engaged in various election-related community events and activities—it is providing "compensation" in violation of SB 1 Section 6.06 (Texas

- Election Code § 86.0105) and SB 1 Section 7.04 (Texas Election Code § 276.015), and placing itself and its members at risk of criminal prosecution.
- 15. As a result, to counteract the effects of SB 1's ID matching provisions, OCA-GH devotes resources to encouraging voters to go to vote in person—thereby avoiding both the ID-matching and criminal liability problems altogether—and has spent, and will continue to spend, time educating them on how, where, and when to vote in person to avoid the rejection of their ABBM or mail-in ballot. OCA-GH's decision to encourage voters who qualify to vote by mail to instead vote in person was bolstered by seeing how many people had their mail-ballot materials rejected during the March 2022 primary election.
- 16. This remains true even though many elderly OCA-GH members and AAPI community members are at elevated risk of and seriously fear contracting COVID in their vulnerable and advanced age. Despite this, these voters are willing to take the risk of voting in person because they want to participate in democracy and do their civic duty to vote. OCA-GH members Sam and Elizabeth Hwong illustrate this. The Hwongs are married and are both in their eighties. Prior to passage of SB 1 both voted by mail, and both were eligible to vote by mail during the 2022 elections. However, despite the significant personal risk of voting in person, the Hwongs both chose to cast their votes in person during the March and November elections because they feared that their mail-balloting materials would be rejected due to SB 1. Both would have voted by mail if not for SB 1.
- 17. It is unconscionable to require elderly voters to choose between putting themselves at risk of identity theft and disenfranchisement in order to vote safely at home or

putting themselves at risk of COVID infection to avoid SB1's identification number requirements.

18. It is critical to OCA-GH's mission that the process of voting by mail is as safe and secure as possible, and that every vote cast by AAPI voters in Texas is counted.
SB1 is disenfranchising the OCA-GH and Texas AAPI community. The disenfranchisement of any AAPI Texas voter impairs OCA-GH's ability to achieve its goal of civic participation.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 22, 2023.

Deborah Chen

Transcript of the Testimony of **Deborah Chen**

Date:

March 28, 2022

Case:

LA UNION DEL PUEBLO ENTERO vs GREGORY W. ABBOTT

Deborah Chen March 28, 2022

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IN THE UNITED STATES DISTRICT COURT
 1
                      WESTERN DISTRICT OF TEXAS
 2.
                        SAN ANTONIO DIVISION
 3
    LA UNIÓN DEL PUEBLO
                                        Case No.
                                  S
 4
    ENTERO, et al.,
                                  S
                                        5:21-cv-844-XR
         Plaintiffs,
                                  S
 5
                                  8
                                  S
    v.
 6
                                  S
    GREGORY W. ABBOTT, et
                                  S
 7
                                  §
    al.,
         Defendants.
                                  S
                                  S
 8
                                  8
 9
                                  S
    OCA-GREATER HOUSTON, et
                                  8
                                        Case No.
    al.,
10
                                  S
                                        1:21-cv-780-XR
         Plaintiffs,
                                  §
11
                                  S
                                  S
    v.
12
                                  S
    JOHN SCOTT, et al.,
                                  S
13
         Defendants.
                                  §
                                  S
14
                                  §
                                  §
    HOUSTON JUSTICE, et al.,
15
                                  8
                                        Case No.
         Plaintiffs,
                                        5:21-cv-848-XR
                                  S
16
                                  S
                                  S
    v.
17
                                  S
    GREGORY WAYNE ABBOTT, et
                                  S
                                  S
18
    al.,
                                  S
         Defendants.
                                  §
19
                                  S
20
                                  S
    LULAC TEXAS, et al.,
                                  S
                                        Case No.
21
         Plaintiffs,
                                  8
                                        1:21-cv-0786-XR
                                  S
22
                                  S
    v.
                                  S
23
    JOHN SCOTT, et al.,
                                  §
         Defendants.
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    MI FAMILIA VOTA, et al., §
                                        Case No.
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1
         Plaintiffs,
                                      5:21-cv-0920-XR
                                 S
                                 S
 2
    v.
                                 S
 3
    GREG ABBOTT, et al.,
                                 §
         Defendants.
                                 S
 4
                                 S
                                 §
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                                 §
    UNITED STATES OF AMERICA,
                                 §
                                      Case No.
         Plaintiff,
                                 8
                                      5:21-cv-1085-XR
 6
                                 §
 7
                                 §
    v.
                                 S
 8
    THE STATE OF TEXAS, et
                                 §
                                 §
    al.,
 9
         Defendants.
10
11
                ORAL AND VIDEOTAPED DEPOSITION OF
                           DEBORAH CHEN
12
                          MARCH 28, 2022
13
14
15
         ORAL AND VIDEOTAPED DEPOSITION OF DEBORAH CHEN,
16
    produced as a witness at the instance of the Defendants
    and duly sworn, was taken in the above styled and
17
18
    numbered cause on Monday, March 28, 2022, from
19
    10:31 a.m. to 7:24 p.m., before DONNA QUALLS, Notary
20
    Public in and for the State of Texas, reported by
21
    computerized stenotype machine, at the offices of the
22
    Houston Chinese Community Center, 9800 Town Park Drive,
23
    Houston, Texas, pursuant to the Federal Rules of Civil
24
    Procedure, and any provisions stated on the record or
25
    attached hereto.
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March 28, 2022 Page 3

Deborah Chen

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March 28, 2022 Page 4

Deborah Chen

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 4
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 5
 6
    Also Present (Remotely):
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         Jason S. Kanterman
 8
         Jon Bash
         Lia Sifuentes Davis
 9
         Leigh Tognetti
         Kevin Zhen (FF)
         Jennifer Yun (DOJ)
10
         Julia Longoria
         Savannah Kumar
11
         Ari Herbert
12
         Wendy Olson
         Tiffany Bingham
13
         Jerry Vattamala - AALDEF
         Tony Nelson - Travis County
14
         Josephine Ramirez
         Ciara Sisco - NAACP LDF
         Katelynn Lujan, KTA Videographer
15
         Kamesha Archie, KTA Videographer (In person)
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22					
23					
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25					

Deborah Chen March 28, 2022

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1 these chapters in regards to SB 1 or its enforcement or 2 implementation?

A. No.

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- Q. Is OCA-Greater Houston a membership organization?
- A. Yes.
- Q. How many members does OCA-Greater Houston have approximately?
 - A. Paid, voting members, around 160 or so.
 - Q. So 160 paid members -- paid, voting members?
- 11 A. Yes.
- 12 Q. And how many --
- A. Depending on the time of year, it could go as high as 200-something. But average, I'd say 160. I don't know the exact amount right now.
- 16 Q. An approximation is perfectly fine.
- And how many, roughly, nonpaid, voting -18 nonvoting members do you have?
- A. Nonvoting members, we consider to be any person who participates in our programs, is a volunteer. It could be a client that we have provided services for.
- 22 | So that could be in -- several hundred.
- Q. And where are these members located?
- A. The vast majority are in the Greater Houston area. Our seniors that we provide assistance to

generally are around the Asiatown area or in the
surrounding areas, typically from Sugar Land and/or the
Alief/Sharpstown/Gulfton, some as far away as Katy. Our
student ment- -- I'm sorry -- our student members -- we
do a lot of youth trainings. Those literally are in the
hundreds, are all around the city, mostly on the west
side of the city.

- Q. So Harris County-centered?
- A. Harris County-centered is the bulk of it. But, you know, we have had students who, you know, come from, you know, Fort Bend County or Brazoria County, from Sugar Land and Pearland.
- 13 | Q. So you --

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- A. But the bulk of them are in Harris County.
- Q. So you made the distinction between paid, voting members and then the nonvoting members, people who either volunteered or received services; is that correct?
- A. Yes. Or participate in our programs.
 - Q. So would you consider those more clients?
- A. Not really. Because, you know, for example, a lot of our students, they volunteer at different events.
- 23 | We -- I wouldn't consider them a client so much as
- 24 | they're, you know, just younger members. They're future
- 25 | leaders. We --

Deborah Chen March 28, 2022

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- 1 Q. Part of the community?
- 2 A. Part of the community.
- Q. And I think you had mentioned this before, but do members pay dues?
 - A. Voting members pay dues.
- Q. And do voting members elect the OCA-Greater Houston's leadership?
- 8 A. Correct.
- 9 Q. Do they elect board members?
- 10 A. Yes.

5

- 11 Q. And do they elect officers?
- 12 A. Members elect the chapter president. The board members elect the other officers.
- Q. Is OCA-Greater Houston's leadership made up of members?
- 16 A. Yes.
- Q. And how are the members involved in the organization's activities?
- And I'm talking specifically about the voting members.
- A. Typically, they are -- voting members tend to be a little -- they tend to fall into two buckets.
- 23 They're either much more active, or they're -- simply
- 24 they're "I just want to support the work that you do. I
- 25 | don't have the time to be involved, but I believe in

1 what you do." 2 Ο. And who manages the day-to-day operations of OCA-Greater Houston? 3 I manage a large portion of it. 4 And the chapter president, I imagine, takes the 5 0. 6 rest? As well as other board members. Α. 8 Okay. Ο. They take on different things. Α. 10 And how many people are on the board? Q. Right now, there are 19 or 20 board members. 11 Α. 12 And do they all have office -- do they all hold Ο. 13 an officer position? 14 They are all board members, and then there No. 15 are specific officers of president, vice president, 16 treasurer, secretary. 17 And are they in addition to the board members, 18 or are they among the board members? 19 Α. Among the board members. 20 Ο. And you already mentioned that the board 21 members are selected by the voting members, and the --22 Chapter president is --Α.

(Simultaneously speaking.)

(BY MS. HUNKER) And the --

-- is voted on by the membership directly.

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A. Our board member who is, you know, active with exit surveys are both Rogene -- she has been active with exit surveys in the past -- as well as Cecil Fong.

THE REPORTER: Can you spell that?

THE WITNESS: C-E-C-I-L F-O-N-G.

A. Other board members who have helped with the exit surveys are Cecilia Pham. That's P-H-A-M. Those are the two that come right off the top of my head.

Cecil Fong has also been the -- one of the board members who's been very active with -- in the past with helping to take seniors to go vote or being an assister at a voting location.

- Q. What is OCA-Greater Houston's mission?
- A. It's a four-prong mission. It's actually very broad. And I -- I should know this right off the top of my head, and I don't know it off the top of my head.

 But I'm fairly certain we have this typed.
 - Q. I'm pretty sure it's in the interrogatories.
- A. Somewhere in here. I know our taglines, in raising the hopes and --
 - Q. If you look at Interrogatory 5.
 - A. Okay.
 - Q. Interrogatory 5, Response A.
- 25 A. Yes.

1 O. Provides four bullet points. 2 "To advocate for social justice, equality" -- "equal opportunity, and fair treatment; to 3 promote civic participation, education, and leadership; (3) to advance coalitions and community buildings; and 5 (4) to foster cultural heritage." 6 7 Would that be an accurate summation? Α. Yes. 8 9 Now, in your second amended complaint, it says, 10 OCA-Greater Houston is a "civil rights organization of community advocates dedicated to advancing the social, 11 political, and economic well-being of Americans of Asian 12 13 and Pacific Island descent." 14 That is in paragraph 14. 15 Α. I'm sorry. And that is Exhibit... 2. 16 Q. 17 Α. 2. 18 O. My apologies. I should have specified. 19 Α. No worries. Okay. 20 O. Second sentence. 21 Is that an accurate description as well? 2.2 Α. Yes. 23 And you'd agree that Asian and Pacific 24 Island-descent Americans are a diverse population? 25 Α. Yes.

1	COUNTY OF HARRIS)				
2	STATE OF TEXAS)				
3					
4	REPORTER'S CERTIFICATION				
5					
6	I, Donna Qualls, Notary Public in and for the State				
7	of Texas, hereby certify that this transcript is a true				
8	record of the testimony given and that the witness was				
9	duly sworn by the notary.				
10	I further certify that I am neither attorney nor				
11	counsel for, related to, nor employed by any of the				
12	parties to the action in which this testimony was taken.				
13	Further, I am not a relative or employee of any				
14	attorney of record in this cause, nor do I have a				
15	financial interest in the action.				
16	Subscribed and sworn to on this the 11th day of				
17	April, 2022.				
18					
19	1 Mull / VII X				
20					
21	DONNA QUALLS				
22	Notary Public in and for The State of Texas				
23	My Commission expires 11/02/2022				
	Magna Legal Services				
24	Firm Registration No. 633 16414 San Pedro, Suite 900				
25	San Antonio, Texas 78232 (210) 697-3400				

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF ELIZABETH HWONG

My name is Elizabeth Hwong. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge.

- I am a resident of Harris County, Texas and eligible to vote in Harris County, Texas.
- 2. I am 80 years old.
- 3. I am a board member of OCA-GH.
- 4. I immigrated to the United States in 1965 as a student.
- 5. I became a citizen in 1973 and registered to vote Texas shortly afterwards.
- I regularly voted in person since the mid-1970's, and by mail for around two
 decades, when Texas first allowed seniors to vote by mail so we don't have to go
 out.
- 7. I have a Texas Driver's License and a voter registration card.

8. I stayed inside since January 2020 because I have an elevated risk and seriously fear contracting COVID due to my advanced age.

9. I was willing to take the risk of voting in person in 2022 because I want to participate in democracy and do my civic duty to vote.

10. I prefer to vote by mail to avoid any health risk and because it is more convenient for senior citizens like me.

11. I fear that my vote by mail application would be rejected because I don't remember which number I used when I registered to vote in the 1970's.

12. I fear that I wouldn't be notified in time about any mismatch in the number I used to register to vote in the 1970's and the number I use in my vote by mail application, in time to fix the error before the election.

13. I fear identity theft due to putting my social security number on the vote by mail application envelope going out into the public with no protection or idea of who could see it.

14. I continue to have these fears and will take the risk of voting in person, although I would vote by mail in the future, if not for SB1, because it is safer and more convenient for me as a senior citizen.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 24, 2023.

Elizabeth Hwong

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF SAM HWONG

My name is Sam Hwong. I am over the age of 18 and capable of making this declaration. The facts stated herein are within my personal knowledge.

- I am a resident of Harris County, Texas and eligible to vote in Harris County, Texas.
- 2. I am 81 years old.
- 3. I am a member of OCA-GH.
- 4. I immigrated to the United States in 1965 as a student.
- 5. I became a citizen in 1973 and registered to vote Texas shortly afterwards.
- 6. I regularly voted in person since the mid-1970's, and by mail for around two decades, when Texas first allowed seniors to vote by mail so we don't have to go out.
- 7. I have a Texas Driver's License and a voter registration card.

- 8. I stayed inside since January 2020 because I have an elevated risk and seriously fear contracting COVID due to my advanced age.
- 9. I was willing to take the risk of voting in person in 2022 because I want to participate in democracy and do my civic duty to vote.
- 10. I prefer to vote by mail to avoid any health risk and because it is more convenient for senior citizens like me.
- 11. I fear that my vote by mail application would be rejected because I don't remember which number I used when I registered to vote in the 1970's.
- 12. I fear that I wouldn't be notified in time about any mismatch in the number I used to register to vote in the 1970's and the number I use in my vote by mail application, in time to fix the error before the election.
- 13. I fear identity theft due to putting my social security number on the vote by mail application envelope going out into the public with no protection or idea of who could see it.
- 14. I continue to have these fears and will take the risk of voting in person, although I would vote by mail in the future if not for SB1 because it is safer and more convenient for me as a senior citizen.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 24, 2023.

Sam Hwong

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF BOB KAFKA

My name is Bob Kafka. I am over the age of 21 and fully competent to make this declaration.

Under penalty of perjury, I declare the following based upon my personal knowledge:

- 1. I am the coordinator of REVUP-Texas ("REVUP"), as well as one of three Board members.
- 2. REVUP stands for Register, Educate, Vote, Use Power.
- 3. REVUP is a statewide, non-partisan, nonprofit grassroots organization that was formed in 2015.
- 4. REVUP is a member-based organization whose members are primarily individuals with disabilities. REVUP currently has about 500 members spread out across Texas. REVUP members with disabilities participate in and help guide the direction of REVUP's efforts.
- 5. REVUP's members include voters who are eligible to vote by mail.
- 6. Since its inception, REVUP's mission has been to empower persons with disabilities through voter registration and assistance, issue advocacy, mobilization and organizing. REVUP typically engages in a variety of advocacy efforts on behalf of its members, which includes

supporting certain policies at local and state legislative bodies, as well as outreach to members to support these policies. This advocacy involves outreach to its members and others in the disability community through in-person events and trainings.

- 7. A primary focus of accomplishing REVUP's mission is registering persons with disabilities, and their allies, to vote. REVUP therefore spends significant time to get as many of these individuals registered to vote as it can. A corollary focus is educating REVUP members and the broader disability community about issues that impact their lives.
- 8. To further REVUP's mission to register persons with disabilities, REVUP participates in National Voter Registration Day, and National Disability Voter Registration Week, which is coordinated nationwide by the American Association of People with Disabilities.
- 9. To further REVUP's mission to educate its members and the disability community about registering to vote and about issues that impact them, REVUP has a dedicated website, a podcast series entitled "Use Your Power," and a presence on social media (e.g., Facebook, Instagram, and Twitter).
- 10. REVUP also produces PSAs to educate and inform its members and the broader disability community about voter registration and issues that impact their lives.
- 11. SB 1's passage, however, forced REVUP to shift its focus away from its established voter registration and education efforts and instead focus on educating voters about SB 1's changes to the mail-in-voting process, changes that place new barriers on getting a mail-in ballot.
- 12. Prior to SB 1's enactment, REVUP's plans were to devote substantial time and resources on educating its members and the disability community about issues that affect their lives. Instead, much time and resources were diverted to producing and disseminating podcasts and informational materials focused on SB 1, including changes and barriers to the new vote-by-mail process.

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13. Educating REVUP's members and others about the risks of improper rejection of a mail-

in ballot hampers REVUP's mission of expanding voter registration and increasing voter turnout

of persons with disabilities.

14. REVUP has very limited resources—members do not pay dues—so that time and resources

spent producing and disseminating informational materials and podcasts, answering calls and

emails, and updating its website to explain the changes and barriers to mail-in-voting, are resources

it would otherwise spend elsewhere.

15. REVUP's voter registration and get out the vote efforts, as well as its goal of empowering

the disability community to become a constituency, are undercut when persons with disabilities

vote-by-mail but have their ballots or applications rejected due to an immaterial identification

issue.

16. Because of SB 1 and its changes to the mail-in-voting process, REVUP has had to expend

some of its extremely limited financial resources on getting its website updated and for American

Sign Language interpreters for its SB 1 podcasts and trainings.

17. Unless and until SB 1's vote-by-mail requirements are changed, REVUP's voter

registration and get out the vote efforts and its policy advocacy will continue to suffer because

REVUP will need to continue to spend time and resources educating and warning its members

about these onerous and immaterial requirements.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the

foregoing is true and correct. Executed on May 22, 2023 |, 11:25 AM, GDT, Texas.

Rob Kafka

Exhibit 43

Transcript of the Testimony of **Bob Kafka**

Date:

April 07, 2022

Case:

LA UNION DEL PUEBLO ENTERO vs GREGORY W. ABBOTT

Bob Kafka April 07, 2022

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                    IN THE UNITED STATES DISTRICT COURT
                        WESTERN DISTRICT OF TEXAS
                          SAN ANTONIO DIVISION
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    LA UNION DEL PUEBLO ENTERO,
    et al,
 4
          Plaintiffs,
                                        Case No. 5:21-cv-844-XR
    v.
    GREGORY W. ABBOTT, et al.,
 6
          Defendants.
 7
    OCA-GREATER HOUSTON, et al.,
 8
         Plaintiffs,
 9
    v.
                                        Case No. 1:21-cv-780-XR
    JOHN SCOTT, et al.,
10
          Defendants.
11
    HOUSTON JUSTICE, et al.,
12
          Plaintiffs,
13
                                        Case No. 5:21-cv-848-XR
    v.
14
    GREGORY WAYNE ABBOTT, et al.,
          Defendants.
15
    LULAC TEXAS, et al.,
16
          Plaintiffs,
17
    v.
                                        Case No. 1:21-cv-0786-XR
18
    JOHN SCOTT, et al.,
19
          Defendants.
20
    MI FAMILIA VOTA, et al.,
          Plaintiffs,
21
                                        Case No. 5:21-cv-0920-XR
    v.
22
    GREG ABBOTT, et al.,
23
          Defendants.
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April 07, 2022 Page 2

Bob Kafka

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UNITED STATES OF AMERICA,
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          Plaintiff,
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                                       Case No. 5:21-cv-1085-XR
    v.
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    THE STATE OF TEXAS, ET AL.,
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          Defendants
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 7
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 9
                     VIDEOTAPED ORAL DEPOSITION OF
10
                                BOB KAFKA
11
                              April 7, 2022
12
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               VIDEOTAPED ORAL DEPOSITION OF BOB KAFKA, produced as
16
    a witness at the instance of the Office of the Attorney
    General, and duly sworn, was taken in the above-styled and
17
18
    numbered cause on the 7th day of April, 2022, from 10:12 a.m to
19
    4:25 p.m., before Dottie Norman, Certified Shorthand Reporter
20
    in and for the State of Texas, reported by machine shorthand,
21
    at the Offices of Disability Rights Texas, 2222 W. Braker Lane,
22
    Austin, Texas, pursuant to the Federal Rule of Civil Procedure
23
    30(b)(6) and the provisions stated on the record.
24
25
```

April 07, 2022 Page 3

Bob Kafka

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1
                          APPEARANCES
   FOR DISABILITY RIGHTS TEXAS:
 2.
 3
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 6
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 8
          By:
               THOMAS BUSER-CLANCY
                    -and-
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                   -and-
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          Austin, Texas 78711-2548
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          101 W. Nueva, 7th Floor
          San Antonio, Texas 78205
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          210.335.2311
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          (Via Zoom)
21
   ALSO PRESENT:
          Manuel Martin, Videographer
2.2
          Michael Stewart: United States of America (via Zoom)
          Shira Wakschlaq: HAUL Plaintiffs (via Zoom)
          Anthony Nelson: Travis County Defendants (via Zoom)
23
          Courtney Hostetler: Mi Familia Vota (via Zoom)
24
          Leigh Tognetti (via Zoom)
          Sam Fishman (via Zoom)
25
          Nick Adkins (via Zoom)
          Julia Longoria (via Zoom)
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1 header Topics on it --

- 2 A. Uh-huh.
- 3 | Q. -- which I believe is the last complete page.
- 4 A. Got it.
- 5 Q. So you understand today that you're here to testify
- 6 on behalf of REVUP, right?
 - A. Correct.
- Q. First off, can you describe to the Court what REVUP
- 9 | is?
- 10 A. REVUP is a statewide nonpartisan, nonprofit created
- 11 to increase the involvement of people with disabilities and
- 12 | allies in the electoral process. REVUP is -- stands for
- 13 | Register, Educate, Vote, Use your Power. The disability vote
- 14 has not been seen as an entity to have involvement in the
- 15 | electoral process. So that was why REVUP was created and its
- 16 | mission.
- 17 Q. So you see there where it says Topics For
- 18 | Examination at the top of the page?
- 19 A. Right.
- Q. Okay. We have Topics 1 through 10 on the first
- 21 page. Do you see that?
- 22 A. Yes, sir.
- Q. Are you here to testify on behalf of REVUP for
- 24 | Topics 1 through 10?
- 25 A. Yes, sir.

1 And actually the Governor election when Greq 2 Abbott was running against Wendy Davis, uh, it became apparent that this was going to be a high-visibility election, 3 especially with, you know, then Attorney General Abbott being a person with a disability and then Wendy Davis being very high 5 visibility as her time in the legislature. So that we thought 6 it was time to start to create an entity that would focus on, in a nonpartisan way, the disability vote and to sort of begin to make the point that even though people with disabilities do 9 10 vote, the candidates and policymakers don't really think of it as an entity. So that really was the motivation for developing 11 12 REVUP.

- Q. So what year did the organization REVUP actually form?
 - A. 2015.

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- Q. And you mentioned it's nonpartisan. So, for instance, in the circumstance with Governor Abbott -- now Governor Abbott and then I believe Representative Davis REVUP didn't take a position with regard to any partisan issue?
- A. No. We're strictly nonpartisan. We reach out to both parties equally.
- Q. When REVUP was formed, can you tell me a little bit about the structure of the organization?
- A. Yeah. We have a three-member board that, you know, that -- basically a president, secretary and a director. And

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Page 13

1 they meet on an annual basis. We have a membership and that --

- the membership doesn't elect the board. The board is
- self-electing and basically does all the legal requirements in
- terms of financial, signing contracts and such.

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- When you say the members don't elect the board, how does REVUP fund board members?
- Basically, our -- we outreach in terms of people who Α. are interested. And the -- since the board elects itself, if people are interested, that is brought up. And if there's going to be any turnover, that is how, you know, we would consider a new board member. And the board can expand. Up to now we have not expanded past the three board members.
 - With regard to funding, how is REVUP funded?
- It's totally grass roots. We don't get any federal, state or local funds. We're a relatively small nonprofit. would like to say that we punch above our weight in terms of influence with very little funding.
- Let me ask you this. So I don't usually share personal details about myself in deposition, but I'll share this one because I think it might be relevant to what we're doing here. So once upon a time I was on the United Way board. And one of the things United Way did was they funded smaller organizations within communities to see that they had funding for whatever services they were providing.
 - So when you say you're grass roots only -- uh,

1 the example of the United Way, you don't have organizations

like United Way or any other large organization funding you?

A. No.

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- Q. How many members does REVUP have?
- A. We approximate 500. And that's because our membership criteria is being involved, so we have to approximate. But what we have said when asked, approximately 500 that we have an impact around. They don't have a membership list per se.
- Q. Well, if you don't have a membership list, how do you determine how many members roughly that you have?
- 12 We use an interesting concept that we're actually Α. 13 kind of proud of. The way we have organized and the way we have -- in fact I said -- punch above our weight is that we 14 send out information through organizations, individuals. And 15 16 then they disseminate. And people who get involved in the 17 organization we consider members. Though it's not the 18 traditional way members are seen, it has really gotten us a way 19 of, in our mission, of educating and disseminating information. And so that is why when we say we have approximately 500 -- it 20 21 could be much larger than that because of the way we define 2.2 "member."
 - Q. Do members pay dues?
- 24 A. No, no dues.
- 25 | O. Do members donate?

submit things. I would hesitate a guess.

Q. Let's talk a little bit about how your organization is divvied up. Now, I understood you to say that the goal of REVUP is to have influence on, in a nonpartisan way, policy decisions that impact issues around people with disabilities.

- A. Uh-huh.
- O. Is that fair?
- A. Yeah.

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- Q. Programmatically, how is REVUP divided?
- A. Basically, we use the acronym as the way we design what we do both in terms of our advocacy for -- or the involvement. Obviously register. So voter registration programs and outreach to try to get as many people with disabilities and allies registered.

Then, which is a major piece of our work, is educating the disability community on some of the issues that are impacting their lives. Even though they know it personally, uh, we talk about how those are being impacted by policymaking.

And then the V, the vote, the get out the vote, we have a big push. So most of our work is focused around those three areas. And since voting is our prime mission, that's actually how the group got named and -- you know, in its goal and mission.

Q. With regard to registration, what activities in the

last six to seven years has REVUP engaged in?

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Α. Yeah. We participate basically with register to It's an online attempt to register people. We have developed a relationship with that organization. Especially because of the pandemic, in-person registration drives have been difficult. And so we were trying to think of a way to be able to continue to outreach during a period of time when there were not going to be a lot of in-person, especially since people with disabilities are more vulnerable. And I say that because -- you know, we have tried to shun the term "vulnerable" for years, but the pandemic has flipped that on its head. So we had to find ways to register people to get them involved. And so that area.

We also participate in an annual National Disability Voter Registration Week which is coordinated by the American Association of People with Disabilities nationwide. And then we also participate in the National Disability Reg -not Disability. National Voter Registration Day which is held. So we have tried to target our registration attempts focused on both local and national registration drives.

- So, if I understand you correctly, you have engaged Q. in online registration efforts?
- 23 Yeah, as much as possible. Texas doesn't have Α. 24 online voter registration, but there is a way that -- legally 25 to be able to do it so that people can use an app. Then we

Bob Kafka April 07, 2022

Page 22

1 A. Intermediate Care Facilities.

- Q. I'm sorry?
- 3 A. Intermediate Care Facility.
- 4 Q. Okay.
- 5 A. Yeah.

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Q. All right. I wanted to make sure those acronyms got into the record for the benefit of the Court.

So let me see if I can focus this down. With regard to education, can you tell me about what REVUP does with regard to education as it relates to voting?

- A. Oh, well, we send out inform -- well, first we have our social media. We have a website. We have a podcast called Use Your Power, and we have done webinars. We have on our website some of the things that we have done in the past, specifically on voting. I apologize because I thought you meant what did we do in terms of education on issues. So I apologize for the long soliloquy on issues there. But -- so basically information fliers in terms of that. And that gets put on all our social media. We have an Instagram and a YouTube. We have done quite a bit and I think we have submitted some of the media that we have done to promote voting both -- again, in the three areas, registra -- mostly registration and getting out the vote.
- Q. With regard to the social media, you mentioned Instagram. You mentioned YouTube. Do you have any other

1 | social media for REVUP?

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A. Yeah. I mean, like I said I don't know -- I'm not 3 -- we have a Facebook page and we have a website.

- Q. In addition to the Facebook page and the website, any other social media?
 - A. I don't believe so.
 - Q. So no Twitter?
- A. Oh, actually we do. I'm showing my age. I apologize. We don't have TikTok. That's the one thing I do know. I really am -- show my age about social media. But, you know, we have young people that are starting to bring me into the 21st Century I suppose.
- Q. Yeah, well, don't feel too bad. I'm graying myself,
 - So let's talk a little bit about the social media. So what kind of information do you put on your social media?
 - A. All relevant to the three -- you know, in the acronym. Power, just one example. We have had podcasts on various different issues in terms of -- we have had different groups that have been affected by voting and giving some of the issues.
- On Facebook we put all our documents and some of our media that we develop, specifically PSAs. You know, that's the type of information we put on there mostly, again, all

Bob Kafka April 07, 2022

Page 24

- 1 | nonpartisan, all meant to basically get people knowledgeable
- 2 about, as best we can, the dates. And, you know, we hope that
- 3 | that information is then disseminated through the local
- 4 | communities.
- Q. Do you send out any hard copy documents with regard to voting?
- 7 A. Very -- very little in terms of hard copies. We do 8 most of it through -- you know, electronically.
 - Q. Do you do any trainings on voting?
- 10 A. We have done -- I think we have done a webinar on --
- 11 | I don't know if you would call it a training per se, but
- 12 | basically on -- mostly informational type webinar.
- Q. When did that webinar take place?
- 14 A. I would have to go back and check if I may.
- Q. Are there any other efforts -- let's see if we can
- 16 go through. We have talked about social media. You use
- 17 | Facebook, Twitter, Instagram, YouTube, right?
- 18 A. Yeah.
- 19 Q. You also have a podcast?
- 20 A. Yeah.
- 21 Q. Is that available on Apple?
- A. No, it's just available on our website. And we disseminate it through just our -- the networks on e-mail and things like that.
- Q. With regard to YouTube, do you post videos?

A. Yeah. Again, I would have to go back and ask the people, but we also put -- the podcast is -- excuse me. The podcast is also -- excuse me -- is also shown on the YouTube

- Q. You said you also do some hard copy documents. You have also done a webinar --
- A. Yeah.

channel.

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- Q. -- training on voting?
- 9 A. Right.
 - Q. Since Senate Bill 1 passed and was signed by the Governor, have you had to amend any of that?
 - A. Well, we have had to move our focus. You know, again, when I started going through the litany of education issues, a lot of that has taken a back seat since SB 1. I think about five or six of our podcasts have related directly to Senate Bill 1 where our original plans was to start doing a much more intensive, you know, education on those issues that I mentioned previously in terms of that. So Senate Bill 1 has taken, you know, at least on the podcasts and our document development, much more of our time.
 - Q. Let me see if I can ask the question a different way because I think what I'm asking is slightly different than what you're answering.
 - A. Okay.
- 25 Q. Maybe I can break this out just a little bit.

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1 REVUP posted on Facebook before Senate Bill 1 2 passed, right? 3 Α. Yes. So in the time period between Senate Bill 1 passing 4 Q. 5 and 2015, REVUP made posts on Facebook? Α. Sure. 6 7 Have you made posts on Facebook since Senate Bill 1 0. 8 passed? 9 Α. Yes. 10 0. Did you have to go back and change any of the Facebook posts on account of Senate Bill 1 passing? 11 12 No, but it was -- you know, the focus of the posts Α. 13 were different because of Senate Bill 1 because of the need to focus on -- because we were getting guite a bit of calls --14 15 phone calls from people, you know, because -- you know, as --16 you know, the news was so focused on the voting bill, you know, 17 and the -- the special sessions that -- so that -- that really 18 changed our -- you know, how our time and resources were spent. 19 0. With regard to your website, did you have to change anything related to voting on your website on account of --20 21 Α. Well --2.2 On account of Senate Bill 1? 0. 23 I mean, Senate Bill 1 caused us actually to Α. Yeah. 24 sit down with our webmaster. And we had to spend -- we're 25 still in the process of spending time developing so that we

1 | could specifically get more information targeted to what the

- 2 | new SB 1 because, again, there was such misinformation. And
- 3 the chilling effect that we got just -- just from the multitude
- 4 of phone calls that we got from around the state and feedback
- 5 that we got from various different organizations about, you
- 6 know, so many of the sections of the bill, you know, because
- 7 people are not policy wonks. So that -- that is why we spend
- 8 an inordinate amount of time with our webmaster about re --
- 9 redesigning so that we could focus on that.
- 10 Q. What's your webmaster's name?
- 11 A. His name is (mumbling) Nathan Freeze.
- 12 Q. Freeze like you freeze an ice cube or Friese as in
- 13 | --
- 14 A. No, like an ice --
- 15 | O. -- F-r-i-e-s-e?
- 16 A. Like an ice cube.
- 17 | 0. Got you.
- 18 | With regard to your Twitter account, I presume
- 19 | REVUP posted on Twitter before Senate Bill 1?
- 20 A. Yes.
- 21 Q. Have you had to go back and change any of your
- 22 | tweets on account of Senate Bill 1?
- 23 A. The only way I can answer that is that just what the
- 24 | -- what the Twitter type things were posted. And, again, I
- 25 | don't -- one of our volunteers posts that. But, again, it

would be posting more of our SB 1 focus than on other areas,
which we would have done had SB 1 not been, you know, enacted.

- Q. With regard to Instagram, did REVUP post on Instagram before Senate Bill 1?
 - A. Yes.

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- Q. Have you had to go back and amend anything you've put on Instagram?
 - A. Just the same answer basically. It's what was put on, you know, since SB 1 rather than -- we continued to do Instagram, but it was the content of what was placed on SB 1.
 - Q. I want to make sure that the record is clear on this. So the answer is no, you haven't had to go back and change anything that you posted before Senate Bill 1?
 - A. Well, we didn't -- we continued to post. The content of what we posted changed because it was more focused on SB 1.
 - Q. Right. My question -- all I'm asking is: Have you gone back and changed anything that you posted prior to Senate Bill 1 on account of Senate Bill 1? Let me see if I can put it like this.
 - A. Okay. If you could explain that.
- Q. Yeah. If you posted something about voting in 2020, have you had to go back and change what you posted in 2020 on account of Senate Bill 1?
 - A. Only the -- not changing maybe what we posted in

1 2020, but what we posted post-SB 1 was focused on SB 1.

2 0. Got you. So I think it's fair to say for Facebook, Twitter, your website, Instagram, YouTube, your podcasts your position is your focus has been geared towards Senate Bill 1 since it passed. Is that fair?

- Α. I think, yeah, predominantly, yes.
- But it's also true that you haven't had to go back 0. and change anything on any of that social media that predated Senate Bill 1 on account of Senate Bill 1?
- Only where it related to what we had before, the actual language change. You know, we may not have changed the document per se, but the information was different than it would have been previous to SB 1, slight -- you know, any I mean, you have pre-bill and then you have post the bill.
- Okay. So I can make it clear on the record, I just 0. want to make sure the Court understands this. So when you're talking about changing things, I understand you to be saying that you're posting new information on your social media that explains the changes that came about on account of Senate Bill 1; is that right?
- 2.2 Α. Correct.
- 23 All right. And so you didn't go back and change 0. 24 anything that predated Senate Bill 1, right?
- 25 Α. No.

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exactly how all that works. But they are -- you know, we -- we meet, you know, on an ongoing basis. So how it actually

Q. No, understood. I'm just trying to figure out -you say volunteers are operating the social media accounts,
right?

technologically works is above my pay grade, so to speak.

- 7 A. Correct.
- Q. So there's no money coming out of REVUP's pocket, so to speak, to pay for the people who are operating the social media?
- A. No. We do -- we do pay one person's expenses. We give it a stipend of 100 a month to do our podcast. But that is not -- it's not a salary. It's basically to offset her expenses, but that's the only. But the webmaster is paid.
 - Q. Do you take a salary?
- 16 A. No.

- 17 Q. I presume the board doesn't either?
- 18 A. No, nobody on the board.
- Q. Can you tell me what you contend is any negative impact that you, you being REVUP, have suffered on account of Senate Bill 1?
- 22 A. You mean me specifically? No
- Q. I don't mean Bob Kafka.
- 24 A. Right.
- Q. I mean REVUP. So with regard to Senate Bill 1, can

you tell me what impact that's had on REVUP?

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2 Well, it has -- like I said, it has sort of redirected our focus -- short term I hope -- in terms of what the impact of the requirements, and specifically, you know, the section in terms of the -- the ID requirements. And then 5 specifically also on the assistant area. Those two focuses 6 have been -- I would say the most of the questions that we have gotten and focused on in terms of changing REVUP. ironically, our focus was -- since I talked about community 10 integration, was to get people to the polls. So some of the things in SB 1 plus the pandemic made us focus more on the 11 12 mail-in ballot area. So that's why SB 1 itself really sent a 13 shockwave, sort of a chilling message because at the same time that the pandemic -- and people with disabilities are 14 15 particularly -- and I hate to use the word, but I'll use it 16 again -- more vulnerable because of that. So it basically 17 focused more on mail-in ballot and then SB 1 just made that 18 process more difficult.

- Q. What's REVUP's view on whether community integration is better served by in-person versus mail-in voting?
- A. As a general philosophy, we believe integration into the general public as much as possible whether it's in voting, whether it's in terms of transportation, housing. There's a long history of people being warehoused, segregated, apart from everything. I mean, we have come a long way from the

1 Legislature and signed by Governor Abbott?

- 2 A. Right.
 - Q. Okay.
- 4 A. Yeah.
- Q. All right. So -- and let me just ask so the record is clear. You have understood that that's what I have been referring to when I have been talking about Senate Bill 1?
- A. I hope so, otherwise we've been spending a lot of time --
- Q. I just want to make sure. It's -- you know, I have a lot of cases with -- things with Senate Bill -- insert number.
- 13 A. Right.
- Q. And, you know, sometimes -- every legislature has a Senate Bill 1.
- 16 A. Right.
- Q. So, you know, just want to make sure.
- 18 A. Yeah. Yeah, I understand.
- Q. All right. So, with that in mind, can you tell me how much time REVUP has spent in changing its focus and trying to reach its target audience about changes from the Senate Bill 1?
- A. You know, I can't give a percentage exactly, but it feels like almost everything -- I mean, SB 1 has sort of been like hovering over because of its, you know, impact in the

1 | media, both in print and, you know, all over social media. And

- 2 | it also has coincided with the increase of the disability vote
- 3 | because of some of the work that we had done since our creation
- 4 and work that had been done not just by us, but other
- 5 organizations. So, you know, the good part is that the number
- 6 of people who were more involved in the voting process is a
- 7 | positive. But then SB 1 just caused that to, you know, take up
- 8 | a predominant amount of our time. So it seems like it's
- 9 omnipresent.
- 10 Q. So even today?
- 11 A. Oh, yeah. I mean, it continued in terms -- you
- 12 know, we are gearing up now for the -- getting people educated
- 13 on the runoff and so the debacle in terms of the mail-in ballot
- 14 | in the original primary, 24,000, you know, rejections. So
- 15 | people are going -- we're going to be spending a lot of time
- 16 trying to make sure that doesn't occur again. But, you know, I
- 17 | think that's why we're here.
- 18 Q. Well, let me ask you this: You spent time educating
- 19 voters in advance of the primary, right?
- 20 A. Uh-huh.
- 21 Q. And you have been training them on what Senate Bill
- 22 | 1 requires, right?
- 23 A. Yeah, but it was un -- even for those who had been
- 24 | following that there was a lot of confusion about. And the
- 25 | Secretary of State did not issue some of the information in a

1 We are going to try to get them information. The -the real issue is in terms of the -- the makeup of the various groups and the complexity of Senate Bill 1 that has been 3 difficult. You know, those of us -- you know, I have a college education and trying to understand it. We try to put it in a 5 format that is understandable. But, you know, again -- and 6 this is not stereotypic, but so many of our members are low income, on Medicaid. And some of the information is difficult. And, obviously, we don't hit every person with a disability in 10 terms of the network. So even though -- you know, we attempt. That's our mission. You know, the overall population is so 11 12 large. You know, I just looked before I came here. You know, 13 there are about three to five million people with disabilities, according to the Governor's Committee on People with 14 15 Disabilities that have disabilities, you know, under the age of 16 65, not even counting those over. So, again, we would, even 17 with our information, only touch a portion of the potential 18 voting group, so --19 0. Okay. My question is a little bit simpler than the 20

Q. Okay. My question is a little bit simpler than the one you just answered. I'm just asking: The education that you're trying to do right now for the May primary, is that based on your current understanding of Senate Bill 1?

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- A. Yes. Sorry to spend all that time for a yes answer.
- Q. All right. So as part of this lawsuit, REVUP will have spent at least two elections training voters with

1			CHANGES	S AND SIGNATURE	
2			BOB KAFKA	April 7, 2022	
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April 07, 2022 Page 161

Bob Kafka

1	I, BOB KAFKA, have read the foregoing deposition and		
2	hereby affix my signature that same is true and correct, except		
3	as noted above.		
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5			
6	STATE OF TEXAS)		
7	COUNTY OF TRAVIS)		
8	Before me on this day		
9	personally appeared BOB KAFKA, known to me or proved to me		
10	under oath or through (description of		
11	identity card or other document) to be the person whose name is		
12	subscribed to the foregoing instrument and acknowledged to me		
13	that they executed the same for the purposes and consideration		
14	therein expressed.		
15	Given under my hand and seal of office this		
16	day of, 2022.		
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20	NOTADY DIDITO IN AND HOD		
21	NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS		
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                   IN THE UNITED STATES DISTRICT COURT
                        WESTERN DISTRICT OF TEXAS
                          SAN ANTONIO DIVISION
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    LA UNION DEL PUEBLO ENTERO,
    et al,
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          Plaintiffs,
                                        Case No. 5:21-cv-844-XR
 5
    v.
    GREGORY W. ABBOTT, et al.,
 6
          Defendants.
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    OCA-GREATER HOUSTON, et al.,
 8
          Plaintiffs,
    v.
                                        Case No. 1:21-cv-780-XR
    JOHN SCOTT, et al.,
10
          Defendants.
11
    HOUSTON JUSTICE, et al.,
          Plaintiffs,
12
13
                                        Case No. 5:21-cv-848-XR
    v.
14
    GREGORY WAYNE ABBOTT, et al.,
          Defendants.
15
    LULAC TEXAS, et al.,
16
          Plaintiffs,
17
    v.
                                        Case No. 1:21-cv-0786-XR
18
    JOHN SCOTT, et al.,
19
          Defendants.
    MI FAMILIA VOTA, et al.,
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          Plaintiffs,
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                                        Case No. 5:21-cv-0920-XR
    v.
22
    GREG ABBOTT, et al.,
23
          Defendants.
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1
    UNITED STATES OF AMERICA,
          Plaintiff,
 2.
                                       Case No. 5:21-cv-1085-XR
    v.
 3
    THE STATE OF TEXAS, ET AL.,
          Defendants
 4
 5
                        REPORTER'S CERTIFICATION
 6
                     VIDEOTAPED ORAL DEPOSITION OF
                               BOB KAFKA
 7
                             April 7, 2022
 8
                   I, DOTTIE NORMAN, Certified Shorthand Reporter
    in and for the State of Texas, hereby certify to the following:
                   That the witness, BOB KAFKA, was duly sworn by
10
    the officer and that the transcript of the oral deposition is a
11
    true record of the testimony given by the witness;
12
                   I further certify that pursuant to FRCP Rule
13
14
    30(f)(1) that the signature of the deponent:
15
                   X
                           was requested by the deponent or a party
16
    before completion of the deposition and returned within 30 days
    from date of receipt of the transcript. If returned, the
17
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    attached Changes and Signature Page contains any changes and
    the reasons therefor;
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                       ____ was not requested by the deponent or a
    party before the completion of the deposition.
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22
                   I further certify that I am neither attorney nor
23
    counsel for, related to, nor employed by any of the parties to
24
    the action in which this testimony was taken. Further, I am
    not a relative or employee of any attorney of record in this
25
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April 07, 2022 Page 164

Bob Kafka

1	cause, nor am I financially or otherwise interested in the
2	outcome of the action.
3	Subscribed and sworn to on this the day
4	of, 2022.
5	$\Omega = \nu$
6	Vottee / Orman
7	DOTTIE NORMAN, Texas CSR 2283
8	Expiration Date: 8/31/2023 Magna Legal Services
9	Firm Registration No. 633 16414 San Pedro, Suite 900
LO	San Antonio, Texas 78232 866.672.7880
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Exhibit 44

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

٧.

GREGORY W. ABBOTT, et al.,

Defendants.

Civ. Act. No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF TERI SALTZMAN

My name is Teri Saltzman. I am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based on my personal knowledge:

1. I am a 59-year-old woman who currently lives in Travis County, Texas. I have been mostly voting by mail since 1985. I voted for the first time in Texas in 1985. In 2000, I

moved to Florida and was a registered voter there. I moved to North Carolina in 2011 and was a registered voter there. Since 2014, I have been living and voting in Texas.

- 2. I am a member of The Arc of Texas and REVUP-Texas. I routinely receive informational emails from both organizations.
- 3. I vote by mail because I am legally blind. I am substantially limited in the major life activity of seeing. Being independent is important to me. I use a screen magnifier to assist my vision. I prefer to vote by mail because I have voted in person before and found it difficult due to my disability. Voting sites don't always have the machines working that make voting accessible to me. For example, I have tried to vote in person before and there were headphones missing from the accessible voting machine. The volunteers at the voting sites are helpful, but they don't always know how to

work or fix the machines so that I can vote. In addition, I do not drive due to my disability, so voting in person would require me to find transportation.

- 4. Prior to SB 1, I voted by mail in Texas several times and never had any problems.
- 5. In January 2022, I requested a mail-in ballot online at vote.org. I received a ballot request form, completed the form, and submitted the form within a week.
- 6. About a week later, my request for a mail-in ballot on the basis of my disability was denied. I was given two reasons for its denial. First, I received a letter stating that my request for a mail-in ballot had been denied because my driver's license number, Social Security number, or voter ID number were incorrect. However, I had entered all three numbers correctly. I verified these numbers were correct with a Training and Technical Support Specialist at Disability

Rights Texas. Second, an employee at the Elections Office told me the reason that my request for a mail-in ballot was denied was because the application I was sent was out of date. She stated that the Elections Office had changed forms in January. However, I requested my mail-in ballot application in January, so I should have been sent the up-to-date form.

7. The Elections Office employee directed me to go to the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov to re-enter my information, but I was unsuccessful after several tries. The website was not accessible for blind users and was difficult to view with my screen magnifier. The website also seemed to be having technical issues. DRTX communicated with the Travis County Department of Elections on my behalf and obtained

- an accessible document for me. I completed that document, submitted it, and thought I cured the issue.
- 8. In February 2022, I received my mail-in ballot, completed the ballot, and mailed the ballot before the deadline.
- 9. On March 4, 2022, less than a week before the deadline, I received a letter from Travis County Elections stating that my mail-in ballot was rejected. This Notice of Carrier Defect email stated that my Carrier Envelope was received and reviewed, but defective. The box was checked on the Notice that my carrier envelope did not contain my Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number or the last 4 digits of my Social Security Number; or that the number I provided did not match the number associated with my voter registration record as provided by my County's Voter Registrar. I contacted the Travis County Election Office to

clarify and was told that I did not provide my ID numbers under the envelope flap before I sealed and signed the envelope. Due to my disability, I did not see anything on the envelope flap when I received it. I had never heard of this requirement and did not receive any instructions regarding the envelope flap in my March ballot election envelope. I was once again directed to go to the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov to attempt to cure, or to cancel my ballot. I attempted to cure through the Ballot by Mail Tracker and was unsuccessful. The website was still inaccessible even when I used my screen magnifier and seemed to be having technical issues.

10. I contacted Travis County's Election Office by phone four times to attempt to successfully cure my ballot through the State Ballot by Mail Tracker, and each person I spoke to suggested a different solution. I was told that it was possible

I was entering too much information and to attempt again, leaving out information. For example, my street address has "Avenue" in it, and I was told to leave "Avenue" out of my address. This did not work. Another person from the Travis County Election Office asked me if I knew about large print software and screen readers, which was frustrating to me because, as a legally blind person, I am very aware of this technology. I already use a screen magnifier. Finally, another person asked me if I could go down to their office and drop my ballot off, or if I could ask anyone to drive me there. This suggestion was frustrating as well, as I vote by mail due to my disability and to be independent. I did not feel I should be required to find and obtain transportation to fix the issue as this would defeat the purpose of voting by mail. After ample time on the phone, the website finally worked when I clicked the button and cured the ballot. I

called the Travis County Election Office to verify, and they confirmed my ballot was cured.

- 11. At no time did I see or was I offered any information on my rights as a person with a disability, and the availability of reasonable modifications or accommodations under federal or state laws. At no time did I see or was I offered contact information for who could help me with reasonable modification or accommodations, or information as to what the grievance procedure would be if I was initially refused. This information was not available on the website, on anything that was mailed to me, or from any of the many people I spoke with.
- 12. Approximately a week later, I received another letter, which was not in an accessible format for me because it was not in large print, stating that there were errors in my ballot, so therefore my ballot didn't count. I am unsure if this letter

was a copy from the week prior or if it was a new letter. I am now unsure if my vote was counted.

- 13. In May 2022, I tried voting curbside rather than voting by mail during the primary runoff. A volunteer came outside with a laptop, but it was inaccessible, and they had no headphones. Because of this, the volunteer had to read the screen for me and I had no choice but to tell them my choices out loud. My vote was not private as the election volunteer heard my choices.
- 14. In addition to the difficulties and barriers with voting in person described above, I cannot drive myself to the polling place, and paratransit is not available where I live in Pflugerville. While my husband does drive, he is not always available to drive me when the polls are open.
- 15. I tried voting by mail again in November 2022. My optic device magnifies print to the eighth power, and yet the

font on the mail-in-ballot envelope flap is still too small for it to be readable for me. In November 2022, the font was even smaller because there was even more text on the envelope flap. My mail in ballot was rejected yet again for an ID-related reason, and I was again unable to cure the problem online because it again said that I was not a registered voter.

16. SB 1 is making it harder for people with disabilities like me to vote. I registered to vote by mail based on my disability and I have always done this successfully in the past, but this option is no longer accessible to me due to all of the new ID requirements and burdens imposed by SB 1 on the voting by mail process. I tried so hard to vote in the March primary, but at every turn, I faced obstacles due to my disability. I am very concerned about my ability to vote in the future due to SB 1.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on this 22 day of May, 2023, at Austin, Texas.

Teri Salzman

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF YVONNE IGLESIAS

My name is Yvonne Iglesias. I am over the age of 21 and fully competent to make this declaration.

Under penalty of perjury, I declare the following based on my personal knowledge:

- 1. I am an eligible and registered voter in Hidalgo County, Texas.
- 2. I am a person who is paralyzed, experiences consistent muscle spasms, and is blind in one eye.
- 3. Since at least 2006, I have voted in most elections, both federal and state. I vote for the best candidate for me and my issues, whether they are Republican, Democrat, or other political party candidates. I believe I included my voter registration card identification and other identification as requested when applying and voting by mail. Since 2006, I have voted by mail the same way each year and did not have any problems and my votes counted.
- 4. In the 2022 November elections, after the passage of SB 1, I submitted an application to vote-by-mail.

- 5. I completed my application to vote-by-mail and sent it to the election office in Hidalgo County, Texas, just as I have since 2006, when my ballot was accepted and my votes were counted. I followed up on my application by calling the election office in Hidalgo County, Texas, well before the 2022 November election to confirm that my application was received. During this call, I was informed by a Hidalgo County election official that my vote-by-mail application had been rejected for an ID-related reason.
- 6. The election official explained to me what ID number to write on my application, which I did, and then resubmitted my voter application.
- 7. After submitting my second vote-by-mail application, I again reached out to the elections office for Hidalgo County, Texas, several days before the November 2022 election to confirm that my second application was received and accepted. I was again informed by an election official from Hidalgo County, Texas, that my second vote-by-mail application was rejected for an ID-related reason and because it had arrived too late.
- 8. Because I am unable to travel on short notice, as my disabilities require me to engage in significant coordination to arrange appropriate, accessible transportation, I was unable to vote in the November 2022 election.
- 9. Because of my disabilities, voting by mail remains the only form of voting that is accessible to me, but I no longer have confidence that I will be able to vote in the future as a result of the changes brought about by SB 1. Even after revising my ID number per the instructions of a county election official, my application to vote by mail was still rejected despite no issues applying to vote by mail in the previous fifteen years. I still do not understand why both of my applications were rejected.

10. I am a member of The Arc Texas and REVUP Texas. I became a member of these organizations because voting as a person with a disability is important to me. My sister, before she passed away, always stressed to me the importance of voting. I vote now in honor of her memory of this important right.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on this 12th day of May, 2023, at Hidalgo County, Texas.

Yvonne Iglesias

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF LAURA HALVORSON

My name is Laura Halvorson. I am over the age of 21 and fully competent to make this declaration. Under penalty of perjury, I declare the following based upon my personal knowledge:

- 1. I am a 39-year-old woman who currently lives in Bexar County, Texas. I registered to vote for the first time after I turned 18 and sometime before the 2004 presidential election in which I voted.
- 2. Between 2004 and 2014, I was a registered voter in the Dallas metro area where I lived. During this decade, I lived at times in Dallas, Denton, and Collin counties and updated my registration to ensure I could vote each time after I moved.
- 3. In 2015, I moved out of state and updated my registration to Virginia. When I returned to Texas at the end of 2019, I registered to vote again in Texas, this time in Bexar County. I have been continually registered to vote in Bexar County, Texas since 2019.
- 4. Voting is important to me. I have voted in every presidential election since 2004 and most other local and state elections since then.

- 5. I am a member of REVUP Texas ("REVUP") and The Arc of Texas.
- 6. From talking to members of REVUP, I learned that Texas has some of the lowest voter turnout in the nation. In 2014, I was Ms. Wheelchair Texas and I made voting part of my platform that year. I have stayed involved with REVUP since then, including participating with the REVUP Virginia chapter while I lived there. When I returned to Texas in 2019, I resumed my membership with REVUP Texas.
- 7. I was a member of the National Council on Independent Living's Voting Rights Committee from 2016-2020 and had extensive social media engagement during this time with #CripTheVote to encourage voter turnout amongst people with disabilities.
- 8. I have several disabilities that substantially limit several major life activities. I have a very progressive form of Muscular Dystrophy that substantially limits my mobility (including walking, standing, lifting, and bending), ability to complete my activities of daily living (ADLs) necessary to care for myself, and my breathing. I am on a BIPAP breathing machine 24 hours a day, require attendant care for 90% of my ADLs, and use a power wheelchair for all mobility. My conditions also cause me severe pain.
- 9. Because of my Muscular Dystrophy, I require assistance for all gross motor skills like reaching for objects, grasping/holding objects, and pressing buttons. Because of my disabilities, I require what is known as "total care" from caregivers with essentially all activities of daily living including cooking, dressing, and bathing.
- 10. I also have to have someone with me at all times because my chronic neuromuscular respiratory failure requires use of a BIPAP Ventilator 24 hours a day, 7 days a week, and if it became unplugged or unhooked, I could not survive more than a few minutes. I have been on my BIPAP Ventilator full time since about March 2017.

- 11. Because of my chronic neuromuscular respiratory failure, even a mild cough can quickly become serious and possibly fatal. As a result, during the COVID-19 pandemic, my medical providers have advised me to avoid public spaces and crowds, and this is still their advice for me_due to my high risk, even as many others have resumed "normal" life without the precautions many took during the height of the pandemic.
- 12. How I have voted has changed over time as my Muscular Dystrophy has progressed and the pandemic also changed my method of voting. In 2004 2014, when I was voting in the Dallas metro area, I typically voted early in person. During one of the last elections, poll workers did adjust the voting screen so that I could reach it and mark my vote.
- 13. In Virginia, I typically voted curbside during early voting. During the one or two times I went inside a polling place in person, poll workers brought me to the front of the line so I did not have to wait, and I was given a paper ballot which I could mark without assistance. Since that time, my disabilities have progressed and marking a paper ballot without assistance is painful and difficult.
- 14. Since I returned to Texas, I have voted in Bexar County. I voted in the 2020 presidential primaries in person during early voting. I required total assistance from my personal care attendant. They drove me to the polling place, helped me get out of my wheelchair accessible van, and put on a mask to protect me from COVID-19 because I could not lift my hands to do these activities for myself. While I am able to move my powerchair myself, they had to open doors for me to enter the building. I waited in a very short line and when it was my turn, I approached the poll worker. My personal care attendant then had to remove my Texas ID from my wallet and give it to the poll worker who confirmed my voter registration.

- 15. The poll worker administered the oath to my personal care attendant. The poll worker then gave my attendant the number to input into the voting machine since I could not lift my hands to take the number. Because I could not lift my hands or press the button on the voting machine, my personal care attendant input my number into the machine and then marked who I told her I wanted to vote for. When the voting machine printed my ballot, I was not able to grasp the ballot myself so my personal care attendant had to take my ballot and cross the room with me to deposit it into the ballot box.
- 16. By the time of the next election, COVID-19 cases were significantly higher and the lines were very long, even during early voting, so I used curbside vote during the November 2020 election in Bexar County. My boyfriend drove me to the polling place because I could not because of my disabilities. When we arrived, I called for curbside voting. After about twenty minutes, a poll worker came outside and my boyfriend got out my ID and gave it to the poll worker since I did not have the motor function to get out my ID or hand it to the worker. They returned with a form for my boyfriend to complete and administered the oath to him so that he could assist me with voting. The poll worker than handed the voting tablet to my boyfriend. I did not have the ability to press the screen so I told my boyfriend who I wanted to vote for and he pressed the screen for me.
- 17. I curbside voted again in Bexar County during a 2021 local election. My boyfriend drove me again and had to assist me in much the same way—he had to get out my ID and give it to the poll worker and also had to hold the tablet and press buttons for me to designate who I wanted to vote for since I could not do so because of my disabilities.
- 18. I had applied to vote by mail as a person with a disability after my return to Texas in 2020 because I was not sure what would happen with COVID and with my disabilities,

and I_did not know how crowded the polling places would be. Since I was able to vote curbside in the 2020 elections, I had not tried to vote by mail-in ballot until this year.

- 19. I voted by mail-in ballot during the March 2022 primary elections. My personal care attendants check and bring in my mail for me and one of them brought in my ballot. At the time, the assistor's oath still limited assistance to reading the ballot, marking the ballot, or directing me to do those things. My personal care attendant was not willing to assist me with opening or marking my ballot—as a green card holder, she was unwilling to take the oath to assist me (in person or by mail) because she was afraid of the threat of criminal prosecution and the impact on her legal status. Because she was not able to help me, I had to open and mark the ballot myself. Because of my disabilities, it took me four different times to mark my ballot—I could only hold the pen for short periods of time without my hand cramping and it also took a lot of energy and time to turn the ballot around on my table to position it so that I could fill in the bubble for who I wanted to vote for. After about ten minutes during which I would mark a few candidates, I would have to rest for about thirty minutes before I could try to hold a pen and mark the ballot again. All in all, it was very difficult for me to vote and the process was ultimately spread across two days.
- 20. Similarly, it took me a lot of time to complete the information on the envelope and seal the envelope. Because of my gross motor difficulties, my signature changes day-to-day and my handwriting when printing can become difficult to read. Because of this, I was afraid my ballot would be rejected for not having the correct ID number. I also had great difficulty pressing hard enough to sign over the envelope flap.

- 21. I submitted my mail-in ballot before the due date and it was shown as received on February 26 on the Secretary of State's website; however, it was not marked as accepted until well after the election when I looked online at the time. If there had been a problem with my ballot like if I had transposed numbers in my Texas ID number, my handwriting had been illegible, or I hadn't been able to press hard enough for the signature on the envelope flap, I would not have been able to correct my ballot and my vote would have been thrown out.
- 22. Because of how long it took to process my March 2022 primary mail-in ballot, I do not trust voting by mail because if I am unable to mark the ballot hard enough with the pen or transpose two numbers in my ID, I would not be notified with enough time to be able to correct my ballot or early vote in person, which means I would not get to vote at all.
- 23. Because of my experience in March 2022, I voted in person in November 2022 during the general election so that I could be sure my vote counted. Before the November election, I spent several hours over the course of several days researching the voting machines available in Bexar County, including watching instructional videos and emailing elections officials to try to confirm availability of remotes for the voting machines. When I did not get an answer to my email, my father went to my polling place a few days before I did to confirm they had the devices I needed to vote.
- 24. When I arrived at my polling place, I went to the sign-in table, which was so crowded that there were people hovering over me, not wearing masks. Voting in person put my health at risk—my personal care attendant and I were the only ones wearing masks. This is one of the only public places I have gone since mid-2020 other than a medical office or pharmacy.

- 25. I surrendered my mail-in ballot and handed over my ID. After I received my ballot, my personal care attendant accompanied me to the machine. Though it is my understanding that the oath for assistors is no longer so limited, I was still uncomfortable placing my attendant, who is a woman of color, in that position given that there is so much confusion around the law, so I did not ask for her assistance other than for her to monitor my ventilator in case there were any issues with it.
- 26. The poll worker brought me over to the machine and plugged in the remote so that I could vote. I started to operate the remote and it was not working—the directions were reversed from what the buttons indicated (up was down, left was right, etc.). The poll worker did not know how to operate it and so was unable to help other than to ask if I was "pressing the buttons," which I was.
- Once I figured out the remote, which took several minutes, I came to the first name on the screen and discovered the font was so large that it cut off part of the candidate's name and their party. Most of the names on the ballot had at least part of the name or party designation cut off, making it hard to identify who I wanted to vote for and taking additional time. Later I discovered this was likely because the large font feature had been turned on, even though I did not require a large font to read the ballot.
- 28. On the summary screen, it was again very difficult to see my choices and confirm I'd voted for the candidates I wanted to vote for. After I had confirmed my choices, it took several additional minutes to figure out how to navigate with the remote to print my ballot.
- 29. After my ballot printed, I took it across the room and adjusted the height and angle of my power wheelchair so that I could just barely reach the place to put my ballot into the ballot box. This also took several minutes.

- 30. From the time I turned over my ID at the sign-in table to the time I submitted my ballot, it took over thirty minutes for me to vote in person.
- 34. While I would like to vote by mail in the future, or have the option to do so when my health makes going in public more dangerous, I want to know that my ballot will be counted. My experience in March 2022 makes me worry my ballot will not be counted in the future and I will not know of errors until it is too late to fix them or to vote in person.
- 31. As a person with a disability, I already face significant barriers to vote and SB 1 has already made it harder for me to vote in 2022 and will continue to make it harder for me to vote in the future. I am disappointed that the state is working to make elections *less* accessible for people like me.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on _____May 24, 2023 | 10;54 AM EDT output, Texas.



IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF TAYLOR SCOTT

My name is Taylor Scott. I am over the age of 21 and fully competent to make this declaration.

Under penalty of perjury, I declare the following based on my personal knowledge:

- 1. I am an eligible and registered voter in Hidalgo County, Texas.
- 2. I am diagnosed with Cerebral Palsy, I am blind in one eye, and use a power wheelchair.
- 3. My mom, Anne Scott, helps me with many things, such as filling out voting applications.
- 4. I have a Texas identification card, but it had expired before the election between Trump and Biden.
- 5. I do have a United States passport.
- 6. In the election between Beto and Abbott, I tried to vote by mail. My mom filled out the application to vote by mail and read it to me before it was sent in. I signed the application.
- 7. We put my passport number on the application to vote by mail.

- 8. I never received a ballot, so my mom took me to vote in person. It was very difficult for me to vote in person because of my disabilities. I successfully used my passport number to vote in person.
- 9. I am a member of The ARC of Texas and REVUP.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on ________, at Cameron County, Texas.

1

Taylor Scott

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

v.

GREGORY W. ABBOTT, et al.,

Defendants.

Civil Action No. 5:21-cv-844 (XR) (consolidated cases)

DECLARATION OF ANNE SCOTT

My name is Anne Scott. I am over the age of 21 and fully competent to make this declaration.

Under penalty of perjury, I declare the following based on my personal knowledge:

- 1. I am an eligible and registered voter in Hidalgo County, Texas.
- I am the mother of Taylor Scott. Taylor is also an eligible and registered voter in Hidalgo County, Texas.
- 3. Taylor is medically fragile. She is diagnosed with Cerebral Palsy, is blind in one eye, and uses a power wheelchair for mobility as she cannot walk independently. Taylor's disabilities substantially limit several life activities, including walking, speaking, communicating, and caring for herself.
- 4. Taylor's disabilities also impact her ability to speak and communicate with people who are unfamiliar with her speech patterns. Many people who do not know her may not understand her.
- 5. Due to Taylor's disabilities, I assist her with many things, including voting.

- 6. Taylor has a valid U.S. passport. She also has a state-issued identification card, but this ID expired during the COVID-19 pandemic in October 2020. Due to Taylor's disabilities and medical fragility, we were unable to go in person to have her identification card renewed. Her state-issued identification card is still expired.
- 7. In the November 2022 election, I helped Taylor apply to vote by mail. I thought that we could not use Taylor's expired state identification card number on the mail-in-ballot application, so we used her U.S. passport number. Taylor did not receive a ballot in return after sending in her application to vote-by-mail in November 2022.
- 8. Because Taylor never received any notification as to whether or why her application to vote by mail was rejected, she never had an opportunity to cure her application.
- 9. When the ballot did not arrive for Taylor, I took her to vote in person. Because of Taylor's disabilities and medical fragility, we are very cautious about taking her out in public due to COVID, so it was a risk to take her to vote in person. Taylor was able to vote in person using her U.S. passport as identification.
- 10. I never influence my daughter's voting. My daughter votes independently and she tells me she disagrees with some of the candidates who I support.
- 11. Taylor and I are members of REVUP and The Arc of Texas.
- 12. My daughter and I receive email communications from REVUP and The Arc of Texas.

This Declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct. Executed on May 18, 2023, at County of Hawaii, Hawaii.



IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO, et al.,

Plaintiffs',

ν.

Civil Action No. 5:21-CV-844 (XR) (Consolidated Cases)

STATE OF TEXAS, et al.,

Defendants.

<u>DEFENDANT ISABEL LONGORIA'S OBJECTIONS AND ANSWERS TO PLAINTIFFS' FIRST SET OF INTERROGATORIES</u>

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendant Isabel Longoria, in her official capacity as Harris County Elections Administrator, serves her Objections and Answers to Plaintiffs' First Set of Interrogatories in the above-captioned actions.

Dated: May 13, 2022. Respectfully submitted,

/s/ Christina M. Beeler

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Attorneys for Defendant ISABEL LONGORIA, in her Official Capacity as Harris County Elections Administrator

GENERAL OBJECTIONS

 Defendant Longoria objects to these Interrogatories, including the instructions and definitions, to the extent they purport to impose upon Defendant Longoria any obligations different from, or greater than, those established or required by the Federal Rules of Civil Procedure.

ANSWERS TO INTERROGATORIES

INTERROGATORY NO. 1: State the following data regarding ABBMs and mail ballots from the March 1, 2022 primary election:

- a. Number of ABBMs received by the County;
- b. Number of ABBMs the County flagged for rejection because of an application defect of any kind;
- c. Number of ABBMs that the County ultimately accepted after an applicant cured a recorded defect of any kind;
- d. Number of ABBMs the County flagged for rejection because of an Omission Defect:
- e. Number of ABBMs the County flagged for rejection because of a Mismatch Defect:
- f. Number of ABBMs that the County ultimately accepted after an applicant cured either a Mismatch Defect or Omission Defect;
- g. Number of carrier envelopes the County received and reviewed for defects of any kind;
- h. Number of carrier envelopes the County flagged for rejection because of a defect of any kind;
- i. Number of mail ballots cancelled by voters who voted in person, either using an ordinary or provisional ballot;
- j. Number of mail ballots that the County ultimately accepted and counted after a voter cured a carrier envelope defect of any kind;
- k. Number of carrier envelopes the County flagged for rejection because of an Omission Defect;
- 1. Number of carrier envelopes the County flagged for rejection because of a Mismatch Defect; and
- m. Number of ballots that the County ultimately accepted and counted after a voter cured either a Mismatch Defect or Omission Defect.

ANSWER: Defendant objects to sub-parts c, f, k, and l because they are unduly burdensome, as this data is not kept or recorded in a format that is readily searchable by query or readily accessible and would require significant attorney and staff resources to compile. Subject to and without waiver of the foregoing objections: The following data is based on best available information at the time of these answers, and all numbers are approximate.

a. 35,904

- b. 17,049
- c. Defendant Longoria does not track this data.
- d. 3329
- e. 1787
- f. Defendant Longoria does not track this data.
- g. 36,878
- h. 7794
- i. 13
- i. 849
- k. Defendant Longoria does not track this data.
- 1. Defendant Longoria does not track this data.
- m. 849

Although Defendant Longoria objects to sub-parts k and l for the foregoing reasons, Defendant Longoria does have access to numbers for sub-parts k and l combined. The total number of carrier envelopes flagged for rejection because of either an omission defect or a mismatch defect during the March 1, 2022, primary is 7750.

Please also see documents previously produced Longoria_005177-Longoria_005179.

INTERROGATORY NO. 2: State the following data regarding ABBMs and mail ballots from the March 3, 2020 primary election:

- a. Number of ABBMs the County received;
- b. Number of ABBMs the County rejected;
- c. Number of carrier envelopes the County received and reviewed in processing ballots by mail;
- d. Number of carrier envelopes the County flagged for defects of any kind;
- e. Number of mail ballots cancelled by voters who voted in person, either using an ordinary or provisional ballot; and
- f. Number of carrier envelopes with defects of any kind that were cured and ultimately counted.

ANSWER: Defendant Longoria objects to sub-part f because it is unduly burdensome, as this data is not kept or recorded in a format that is readily searchable by query or readily accessible and would require significant attorney and staff resources to compile. Subject to and without waiver of the foregoing objections: The following data is based on best available information at the time of these answers, and all numbers are approximate.

- a. 70,990
- b. 6387
- c. 54,938
- d. 77
- e. 3516

f. Defendant Longoria does not track this data.

INTERROGATORY NO. 3: State the following data regarding ABBMs and mail ballots from March 6, 2018 primary election:

- a. Number of ABBMs the County received;
- b. Number of ABBMs the County rejected;
- c. Number of carrier envelopes the County received and reviewed in processing ballots by mail;
- d. Number of carrier envelopes the County flagged for defects of any kind;
- e. Number of mail ballots cancelled by voters who voted in person, either using an ordinary or provisional ballot; and
- f. Number of carrier envelopes with defects of any kind that were cured and ultimately counted.

ANSWER: Defendant Longoria objects to sub-part f because it is unduly burdensome, as this data is not kept or recorded in a format that is readily searchable by query or readily accessible and would require significant attorney and staff resources to compile. Subject to and without waiver of the foregoing objections: The following data is based on best available information at the time of these answers, and all numbers are approximate.

- a. 64,689
- b. 5598
- c. 48,473
- d. 135
- e. 2425
- f. Defendant Longoria does not track this data.

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO), et al., §	
Plaintiffs,	§	
	§	
v.	§	5:21-CV-0844-XR
	§	(Consolidated Cases)
GREGORY ABBOTT, et al.	§	
Defendants.	§	

<u>DEFENDANT REBECCA GUERRERO'S OBJECTIONS AND RESPONSES TO PLAINTIFFS' INTERROGATORIES</u>

TO: Plaintiffs, by and through their attorneys of record.

Comes now Defendant Rebecca Guerrero in her official capacity as Travis County Clerk (Defendant), and hereby serves her Objections and Responses to Plaintiffs' Interrogatories.

I. RESPONSES TO INTERROGATORIES

- 1. State the following data regarding ABBMs and mail ballots from the March 1, 2022 primary election:
- a. Number of ABBMs received by the County;

RESPONSE:

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log

064.127321 (CONFIDENTIAL) 2022 Application Log (Active Apps from 12-1-21 to 1-14-22)

b. Number of ABBMs the County flagged for rejection because of an application defect of any kind;

RESPONSE:

064.127321 (CONFIDENTIAL) 2022 Application Log (Active Apps from 12-1-21 to 1-14-22).xlsx

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

064.127323 (CONFIDENTIAL) 2022 P22 App Rejections (FINAL).xlsx

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

064.127325 (CONFIDENTIAL) 2022 P22 BB Rejections.xlsx

064.127327-064.127364 (ULTRASENSITIVE INFORMATION) 2022 SE22 App Rejections.pdf

c. Number of ABBMs that the County ultimately accepted after an applicant cured a recorded defect of any kind;

RESPONSE:

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

d. Number of ABBMs the County flagged for rejection because of an Omission Defect;

RESPONSE:

064.127321 (CONFIDENTIAL) 2022 Application Log (Active Apps from 12-1-21 to 1-14-22).xlsx

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

064.127323 (CONFIDENTIAL) 2022 P22 App Rejections (FINAL).xlsx

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

064.127325 (CONFIDENTIAL) 2022 P22 BB Rejections.xlsx

e. Number of ABBMs the County flagged for rejection because of a Mismatch Defect;

RESPONSE:

064.127321 (CONFIDENTIAL) 2022 Application Log (Active Apps from 12-1-21 to 1-14-22).xlsx

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

La Unión del Pueblo Entero, et al. v. Greg Abbott, et al.
Defendant Rebecca Guerrero's Objections and Responses to Plaintiffs' Interrogatories

383.141 / 1047842.5 Page **2** of **8** 064.127323 (CONFIDENTIAL) 2022 P22 App Rejections (FINAL).xlsx

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

064.127325 (CONFIDENTIAL) 2022 P22 BB Rejections.xlsx

f. Number of ABBMs that the County ultimately accepted after an applicant cured either a Mismatch Defect or Omission Defect;

RESPONSE:

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

g. Number of carrier envelopes the County received and reviewed for defects of any kind;

RESPONSE:

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

h. Number of carrier envelopes the County flagged for rejection because of a defect of any kind;

RESPONSE:

064.127321 (CONFIDENTIAL) 2022 Application Log (Active Apps from 12-1-21 to 1-14-22).xlsx

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

064.127323 (CONFIDENTIAL) 2022 P22 App Rejections (FINAL).xlsx

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

064.127325 (CONFIDENTIAL) 2022 P22 BB Rejections.xlsx

i. Number of mail ballots cancelled by voters who voted in person, either using an ordinary or provisional ballot;

064.127961 Applications (CONFIDENTIAL).csv

064.127966 Ballots (CONFIDENTIAL).csv

064.127968 Cancelled or surrendered (CONFIDENTIAL).xlsx

j. Number of mail ballots that the County ultimately accepted and counted after a voter cured a carrier envelope defect of any kind;

RESPONSE:

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

k. Number of carrier envelopes the County flagged for rejection because of an Omission Defect;

RESPONSE:

064.127321 (CONFIDENTIAL) 2022 Application Log (Active Apps from 12-1-21 to 1-14-22).xlsx

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

064.127323 (CONFIDENTIAL) 2022 P22 App Rejections (FINAL).xlsx

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

064.127325 (CONFIDENTIAL) 2022 P22 BB Rejections.xlsx

1. Number of carrier envelopes the County flagged for rejection because of a Mismatch Defect; and

RESPONSE:

064.127321 (CONFIDENTIAL) 2022 Application Log (Active Apps from 12-1-21 to 1-14-22).xlsx

064.127322 (CONFIDENTIAL) 2022 P22 - Ballot History Log.xlsx

La Unión del Pueblo Entero, et al. v. Greg Abbott, et al.
Defendant Rebecca Guerrero's Objections and Responses to Plaintiffs' Interrogatories

064.127323 (CONFIDENTIAL) 2022 P22 App Rejections (FINAL).xlsx

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

064.127325 (CONFIDENTIAL) 2022 P22 BB Rejections.xlsx

m. Number of ballots that the County ultimately accepted and counted after a voter cured either a Mismatch Defect or Omission Defect.

RESPONSE:

064.127324 (CONFIDENTIAL) 2022 P22 App Rejections (Includes Voters that Cured Rej).xlsx

- 2. State the following data regarding ABBMs and mail ballots from the March 3, 2020 primary election:
- a. Number of ABBMs the County received;

RESPONSE:

064.119779 2020 (CONFIDENTIAL) P20 BB - Judges 3.11.20.xlsx

b. Number of ABBMs the County rejected;

RESPONSE:

064.118513-064.119776 (CONFIDENTIAL) 2020 P20 App Rejection Notices.pdf

064.119777 (CONFIDENTIAL) 2020 P20 Application Rejections.xlsx

064.119779 2020 (CONFIDENTIAL) P20 BB - Judges 3.11.20.xlsx

c. Number of carrier envelopes the County received and reviewed in processing ballots by mail;

RESPONSE:

064.119779 2020 (CONFIDENTIAL) P20 BB - Judges 3.11.20.xlsx

La Unión del Pueblo Entero, et al. v. Greg Abbott, et al.
Defendant Rebecca Guerrero's Objections and Responses to Plaintiffs' Interrogatories

d	1	Jumber	of	carrier	envelo	nes	the	County	flagged	for	defects	of any	kind	•
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064.118513-064.119776 (CONFIDENTIAL) 2020 P20 App Rejection Notices.pdf

064.119777 (CONFIDENTIAL) 2020 P20 Application Rejections.xlsx

064.119779 2020 (CONFIDENTIAL) P20 BB - Judges 3.11.20.xlsx

e. Number of mail ballots cancelled by voters who voted in person, either using an ordinary or provisional ballot; and

RESPONSE:

064.119779 2020 (CONFIDENTIAL) P20 BB - Judges 3.11.20.xlsx

f. Number of carrier envelopes with defects of any kind that were cured and ultimately counted.

RESPONSE:

064.119779 2020 (CONFIDENTIAL) P20 BB - Judges 3.11.20.xlsx

- 3. State the following data regarding ABBMs and mail ballots from the March 6, 2018 primary election:
- a. Number of ABBMs the County received;

RESPONSE:

064.128588 P18 BBM Ballots Sent (CONFIDENTIAL).XLS

b. Number of ABBMs the County rejected;

Travis County Clerk's Office Elections Division's database in 2018 did not collect or track data regarding the number of ABBMs rejected. Accordingly, Defendant Clerk Guerrero has no information or data responsive to Interrogatory 3. (b.).

c. Number of carrier envelopes the County received and reviewed in processing ballots by mail;

RESPONSE:

064.128587 P18 Ballot Board (CONFIDENTIAL).xlsx

d. Number of carrier envelopes the County flagged for defects of any kind;

RESPONSE:

064.128587 P18 Ballot Board (CONFIDENTIAL).xlsx

e. Number of mail ballots cancelled by voters who voted in person, either using an ordinary or provisional ballot; and

RESPONSE:

Travis County Clerk's Office Elections Division's database in 2018 only collected or tracked data regarding mail ballots cancelled by voters who voted in person, using a provisional ballot. See,

064.128589 P18 BBM Provisional Voters (CONFIDENTIAL).xlsx

f. Number of carrier envelopes with defects of any kind that were cured and ultimately counted.

OBJECTION:

Defendant Clerk Guerrero objects to the term "cured" as being undefined, vague and ambiguous. Subject to and without waiving the forgoing objection[s], Defendant Clerk Guerrero responds as follows:

In 2018, no process existed to "cure" mail ballots with carrier envelope defects. Accordingly, Defendant Clerk Guerrero has no information or data responsive to Interrogatory 3. (f.).

Respectfully submitted,

DELIA GARZA

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By: /s/ Anthony J. Nelson

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ATTORNEYS FOR DEFENDANTSREBECCA GUERRERO AND JOSÉ GARZA, IN THEIR OFFICIAL CAPACITIES AS TRAVIS COUNTY CLERK, AND DISTRICT ATTORNEY, RESPECTIVELY.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on all parties and counsel of record via electronic mail, as follows, on the 12th day of September, 2022.

/s/ Anthony J. Nelson
ANTHONY J. NELSON
PATRICK T. POPE
Assistant County Attorneys

Exhibit 51

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al.,

Plaintiffs,

5:21-cv-844-XR

v.

GREGORY W. ABBOTT, et al.,

Defendants.

OCA-GREATER HOUSTON, et al.,

Plaintiffs,

1:21-CV-0780-XR

v.

JANE NELSON, et al.,

Defendants.

DEFENDANT HARRIS COUNTY ELECTIONS ADMINISTRATOR, CLIFFORD TATUM'S AMENDED RESPONSES AND OBJECTIONS TO OCA PLAINTIFFS' FIRST SET OF INTERROGATORIES

TO: OCA Plainitffs, by and through their attorneys of record, Zachary Dolling, et al., Texas Civil Rights Project, 1405 Montopolis Drive, Austin, Texas 78741, zachary@texascivilrightsproject.org

Defendant Clifford Tatum, in his official capacity at Harris County Elections Administrator, pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure serves these amended responses and objections to Plaintiffs', OCA- Greater Houston, League of Women Voters of Texas, REVUP-Texas, and Workers Defense Action Fund, First Set of Interrogatories.

/s/ Tiffany S. Bingham

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Attorneys for Defendant Clifford Tatum, in his Official Capacity as Harris County Elections Administrator

<u>DEFENDANT TATUM'S OBJECTIONS AND RESPONSES TO OCA-PLAINTIFFS'</u> <u>FIRST SET OF INTERROGATORIES</u>

INTERROGATORY NO. 1: For the November 2022 general election, and with respect only to timely received applications for a ballot by mail ("ABBMs"), state:

OBJECTION: Defendant Tatum objects to this interrogatory as it is a compound interrogatory consisting of discrete subparts. Defendant Tatum will respond as if each discrete subpart is a separate interrogatory.

a. The number of ABBMs received by Harris County.

RESPONSE: 82,276

- b. The number of ABBMs initially rejected by Harris County:
 - i. Pursuant to SB 1 Section 5.07 because the information required under Texas Election Code Section 84.002(a)(1-a) included on the application did not identify the same voter identified on the applicant's application for voter registration (*i.e.*, pursuant to Texas Election Code § 86.001(f)).

RESPONSE: 1,556

ii. Pursuant to any other provision of the Texas Election Code.

RESPONSE: 892

c. The number of ABBMs initially rejected by Harris County pursuant to SB 1 Section 5.07 (*i.e.*, pursuant to Texas Election Code § 86.001(f)) but later accepted because the applicant cured the defect necessitating rejection, whether via an online tool, through the mail, or in person. This includes curing through the submission of a subsequent ABBM.

RESPONSE: 732

- d. The number of ABBMs finally rejected by Harris County:
 - i. Pursuant to SB 1 Section 5.07 because the information required under Texas Election Code Section 84.002(a)(1-a) included on the application did not identify the same voter identified on the applicant's application for voter registration (*i.e.*, pursuant to Texas Election Code § 86.001(f)).

RESPONSE: 677

ii. Pursuant to any other provision of the Texas Election Code.

RESPONSE: 582

e. The number of ABBMs finally accepted by Harris County.

RESPONSE: 81,075

INTERROGATORY NO. 2: For the November 2022 general election, and with respect only to timely received ballots by mail, state:

a. The number of ballots by mail received by Harris County.

RESPONSE: 64,175

- b. The number of ballots by mail initially flagged for rejection by Harris County:
 - i. Pursuant to SB 1 Sections 5.12, 5.13, and/or 5.14 because the information provided by the voter did not identify the same voter identified on the voter's application for voter registration (i.e., pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)).

RESPONSE: 4,751

ii. Pursuant to any other provision of the Texas Election Code.

RESPONSE: 117

c. The number of ballots by mail initially flagged for rejection pursuant to SB

Sections 5.12, 5.13, and/or 5.14 (i.e., pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)) but ultimately accepted because the voter cured the flagged defect, whether via an online tool, through the mail, or in person.

RESPONSE: 2,003

d. The number of ballots by mail initially flagged for rejection pursuant to SB

Sections 5.12, 5.13, and/or 5.14 (i.e., pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)) and then cancelled by the voter.

RESPONSE: 0

e. The number of voters whose ballots by mail were initially flagged for rejection pursuant to SB 1 Sections 5.12, 5.13, and/or 5.14 (i.e., pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)) who did not cure the flagged defect and then voted in person:

i. By casting a regular ballot.

RESPONSE: 9

ii. By casting a provisional ballot.

RESPONSE: 117

- f. The number of ballots by mail finally rejected by Harris County:
 - i. Pursuant to SB 1 Sections 5.12, 5.13, and/or 5.14 because the information provided by the voter did not identify the same voter identified on the voter's application for voter registration (*i.e.*, pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)).

RESPONSE: 2,557

ii. Pursuant to any other provision of the Texas Election Code.

RESPONSE: 110

g. The number of ballots by mail finally accepted by Harris County.

RESPONSE: 61,508

INTERROGATORY NO. 3: For the November 2022 general election, state Harris County's final rejection rate of timely received ABBMs, expressed as a percentage of all timely received ABBMs and rounded to two decimal places.

RESPONSE: 1.47%

INTERROGATORY NO. 4: State the difference, and indicate whether it is positive or negative, between the percentage set out in response to Interrogatory No. 3 and the final rejection rate of timely received ABBMs, expressed as a percentage of all timely received ABBMs and rounded to two decimal places, during:

- a. The November 2020 general election
- b. The November 2018 general election

OBJECTION: Defendant Tatum objects to this interrogatory because, at the time these interrogatories were propounded, the scheduling order in this litigation limited discovery to matters related to the 2022 general election (Dkt. 437). Thus, these requests were outside the scope of the

discovery. Without waiving this objection, Defendant may supplement this response with data if it can be obtained later.

INTERROGATORY NO. 5: For the November 2022 general election, state Harris County's final rejection rate of timely received ballots by mail, expressed as a percentage of all timely received ballots by mail and rounded to two decimal places.

RESPONSE: 4.16%

INTERROGATORY NO. 6: State the difference, and indicate whether it is positive or negative, between the percentage set out in response to Interrogatory No. 5 and the final rejection rate of timely received ballots by mail, expressed as a percentage of all timely received ballots by mail and rounded to two decimal places, during:

- a. The November 2020 general election
- b. The November 2018 general election

OBJECTION: Defendant Tatum objects to this interrogatory because, at the time these interrogatories were propounded, the scheduling order in this litigation limited discovery to matters related to the 2022 general election (Dkt. 437). Thus, these requests were outside the scope of the discovery. Without waiving this objection, Defendant may supplement this response with data if it can be obtained later.

Exhibit 52

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO), et al., §	
Plaintiffs,	§	
	§	
v.	§	5:21-CV-0844-XR
	§	(Consolidated Cases)
GREGORY ABBOTT, et al.	§	
Defendants.	§	

<u>DEFENDANT DYANA LIMON-MERCADO'S OBJECTIONS AND RESPONSES TO OCA PLAINTIFFS' FIRST SET OF INTERROGATORIES</u>

TO: OCA Plaintiffs, by and through their attorneys of record.

Comes now Defendant Dyana Limon-Mercado in her official capacity as Travis County Clerk, and hereby serves their Objections and Responses to OCA Plaintiffs' First Set of Interrogatories.

Respectfully submitted,

DELIA GARZA

County Attorney, Travis County

P. O. Box 1748 Austin, Texas 78767

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By: /s/ Anthony J. Nelson

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ATTORNEYS FOR DEFENDANTS DYANA LIMON-MERCADO AND JOSÉ GARZA, IN THEIR OFFICIAL CAPACITIES AS TRAVIS COUNTY CLERK, AND DISTRICT ATTORNEY, RESPECTIVELY.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on all parties and counsel of record via electronic mail, as follows, on the 23rd day of March, 2023.

/s/ Anthony J. Nelson
ANTHONY J. NELSON
PATRICK T. POPE
Assistant County Attorneys

I. OBJECTIONS TO DEFINITIONS

1. Defendant Limon-Mercado objects to Plaintiff's definition of "you" as including "Travis County, including the Office of the Travis County Clerk, the Travis County Clerk, her predecessors and successors..." This definition is overly broad and improperly includes prior County Clerk administrations not included or the subject of this litigation. Additionally, said definitions could be construed to require the disclosure of information concerning matters made exempt from discovery under Federal Rule of Civil Procedure 26(b)(1) and the Federal Rules of Evidence, including, but not limited to attorney work product, litigation privilege, deliberative process privilege, grand jury proceedings, and ongoing criminal investigations.

II. RESPONSES AND OBJECTIONS TO OCA PLAINTIFFS' FIRST SET OF INTERROGATORIES

Interrogatory No. 1: For the November 2022 general election, and with respect only to timely received applications for a ballot by mail ("ABBMs"), state:

a. The number of ABBMs received by Travis County.

Response: 28,516.

- b. The number of ABBMs initially rejected by Travis County:
 - i. Pursuant to SB 1 Section 5.07 because the information required under Texas Election Code Section 84.002(a)(1-a) included on the application did not identify the same voter identified on the applicant's application for voter registration (*i.e.*, pursuant to Texas Election Code § 86.001(f)).

Response: 761.

ii. Pursuant to any other provision of the Texas Election Code.

Response: 1,023.

c. The number of ABBMs initially rejected by Travis County pursuant to SB 1 Section 5.07 (i.e., pursuant to Texas Election Code § 86.001(f)) but later accepted because the applicant

La Unión del Pueblo Entero, et al. v. Greg Abbott, et al.

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cured the defect necessitating rejection, whether via an online tool, through the mail, or in person. This includes curing through the submission of a subsequent ABBM.

Response: 190.

- d. The number of ABBMs finally rejected by Travis County:
 - i. Pursuant to SB 1 Section 5.07 because the information required under Texas Election Code Section 84.002(a)(1-a) included on the application did not identify the same voter identified on the applicant's application for voter registration (i.e., pursuant to Texas Election Code § 86.001(f)).

Response: 571.

ii. Pursuant to any other provision of the Texas Election Code.

Response: 815.

e. The number of ABBMs finally accepted by Travis County.

Response: 26,732.

Interrogatory No. 2: For the November 2022 general election, and with respect only to timely received ballots by mail, state:

a. The number of ballots by mail received by Travis County.

Response: 21,443.

- b. The number of ballots by mail initially flagged for rejection by Travis County:
 - i. Pursuant to SB 1 Sections 5.12, 5.13, and/or 5.14 because the information provided by the voter did not identify the same voter identified on the voter's application for voter registration (i.e., pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)).

Response: 827.

ii. Pursuant to any other provision of the Texas Election Code.

Response: 126.

c. The number of ballots by mail initially flagged for rejection pursuant to SB 1 Sections 5.12, 5.13, and/or 5.14 (*i.e.*, pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8),

La Unión del Pueblo Entero, et al. v. Greg Abbott, et al. 383.141 / 1112170.2 Page 4 of 6 Defendant Limon-Mercado's Objections and Responses to OCA Plaintiffs' First Set of Interrogatories

and/or 87.0411(a)(4)) but ultimately accepted because the voter cured the flagged defect, whether via an online tool, through the mail, or in person.

Response: 401.

d. The number of ballots by mail initially flagged for rejection pursuant to SB 1 Sections 5.12, 5.13, and/or 5.14 (*i.e.*, pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)) and then cancelled by the voter.

Response: 0.

- e. The number of voters whose ballots by mail were initially flagged for rejection pursuant to SB 1 Sections 5.12, 5.13, and/or 5.14 (*i.e.*, pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)) who did not cure the flagged defect and then voted in person:
 - iii. By casting a regular ballot.

Response: 0.

iv. By casting a provisional ballot.

Response: 27.

- f. The number of ballots by mail finally rejected by Travis County:
 - v. Pursuant to SB 1 Sections 5.12, 5.13, and/or 5.14 because the information provided by the voter did not identify the same voter identified on the voter's application for voter registration (i.e., pursuant to Texas Election Code §§ 87.0271(a)(4), 87.041(b)(8), and/or 87.0411(a)(4)).

Response: 418.

vi. Pursuant to any other provision of the Texas Election Code.

Response: 45.

g. The number of ballots by mail finally accepted by Travis County.

Response: 20,980.

Interrogatory No. 3: For the November 2022 general election, state Travis County's final rejection rate of timely received ABBMs, expressed as a percentage of all timely received ABBMs and rounded to two decimal places.

La Unión del Pueblo Entero, et al. v. Greg Abbott, et al. 383.141 / 1112170.2 Page 5 of 6 Defendant Limon-Mercado's Objections and Responses to OCA Plaintiffs' First Set of Interrogatories

Response: 4.86%.

Interrogatory No. 4: State the difference, and indicate whether it is positive or negative, between the percentage set out in response to Interrogatory No. 3 and the final rejection rate of timely received ABBMs, expressed as a percentage of all timely received ABBMs and rounded to two decimal places, during:

a. The November 2020 general election

Response: 1.33% of Submitted Applications for Mail Ballots Rejected in November 2020 General Election.

b. The November 2018 general election

Response: 3.56% of Submitted Applications for Mail Ballots Rejected in November 2018 General Election.

Interrogatory No. 5: For the November 2022 general election, state Travis County's final rejection rate of timely received ballots by mail, expressed as a percentage of all timely received ballots by mail and rounded to two decimal places.

Response: 2.16%.

Interrogatory No. 6: State the difference, and indicate whether it is positive or negative, between the percentage set out in response to Interrogatory No. 5 and the final rejection rate of timely received ballots by mail, expressed as a percentage of all timely received ballots by mail and rounded to two decimal places, during:

a. The November 2020 general election

Response: 0.42% of Mail Ballots Rejected in November 2020 General Election.

b. The November 2018 general election

Response: Response: 0.47% of Mail Ballots Rejected in November 2018 General Election.

Exhibit 53

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO EN	ΓERO, et al.,	§	
	Plaintiffs,	§	
		§	
v.		§	No. 5:21-cv-00844-XR
		§	
GREGORY W. ABBOTT, et al.,		§	
	Defendants.	§	

HARRIS COUNTY ELECTIONS ADMINISTRATOR, CLIFFORD TATUM'S SUPPLEMENTAL RESPONSES TO STATE DEFENDANTS' SECOND SET OF INTERROGATORIES

TO: Defendant Ken Paxton, by and through his attorney of record, Kathleen Hunker, Office of Attorney General, P.O. Box 12548, Austin, Texas 78711

Defendant Clifford D. Tatum, in his Official Capacity as Harris County Elections Administrator, pursuant to the Federal Rules of Civil Procedure serves these supplemental responses to State Defendants' Second Set of Interrogatories.

Dated: March 21, 2023

Respectfully submitted,

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Attorneys for Defendant Clifford Tatum, in his Official Capacity as Harris County Elections Administrator

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REQUESTS FOR INTERROGATORIES

<u>INTERROGATORY NO. 4:</u> Please identify and describe with specificity Harris County's final rejection rate of timely received ballots by mail, expressed as a percentage of all timely received ballots by mail and rounded to two decimal places, for the following elections:

a) The November 2012 general election

Response: 0.17%

b) The November 2014 general election

Response: 0.31%

c) The November 2016 general election

Response: 0.48%

d) The November 2018 general election

Response: 0.45%

e) The November 2020 general election

Response: 0.12%

f) The November 2022 general election

Response: 4.16%

VERIFICATION

I, Jennifer Colvin, have read the factual statements contained in the attached Answers to State Defendants' Interrogatory 4 and verified that it is correct based on the information available to the Harris County Elections Administrator.

Executed this 21st day of March, 2023,

Exhibit 54

IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

La Unión del Pueblo Entero, et al., Plaintiffs, v. Gregory W. Abbott, et al., Defendants.	\$\$ \$\$ \$\$ \$\$ \$\$ \$\$ \$\$ \$\$ \$\$	Case No. 5:21-cv-844-XR [Lead Case]
UNITED STATES OF AMERICA, Plaintiff, v. THE STATE OF TEXAS, ET AL., Defendants	\$\to\$ \$\to\$ \$\to\$ \$\to\$ \$\to\$ \$\to\$	Case No. 5:21-cv-1085-XR [Consolidated Case]

STATE DEFENDANTS' SUPPLEMENTAL OBJECTIONS AND RESPONSES TO THE UNITED STATES' SECOND SET OF INTERROGATORIES

TO: Plaintiff the United States of America, by and through their attorneys of record, Michael E. Stewart, Daniel J. Freeman, Richard Alan Dellheim, Dana Paikowsky, and Jennifer Yun, United States Department of Justice Civil Rights Division, 950 Pennsylvania Avenue NW, Washington, DC 20530

Jane Nelson, in her official capacity as the Texas Secretary of State, and the State of Texas (collectively "State Defendants") hereby serve their Supplemental Objections and Responses to the United States' Second Set of Requests for Interrogatories, pursuant to the Federal Rules of Civil Procedure. Because present circumstances prevent State Defendants from signing these responses, State Defendants' counsel will serve properly executed interrogatory answers on the requesting party not later than 21 days after serving these unexecuted answers. *See* W.D. Tex. Local Rule CV-33(a).

]

¹ All previous references to "Defendants" have been changed to "State Defendants" for the sake of clarity.

Date: January 19, 2023

Respectfully submitted.

KEN PAXTON

Attorney General of Texas

WILLIAM T. THOMPSON

Acting Chief, Special Litigation Unit

Tex. State Bar No. 24088531

BRENT WEBSTER

First Assistant Attorney General

<u>/s/ Kathleen T. Hunker</u>

KATHLEEN T. HUNKER

Special Counsel

Tex. State Bar No. 24118415

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will.thompson@oag.texas.gov kathleen.hunker@oag.texas.gov

Counsel for State Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of January, 2023, the attached State Defendants' Supplemental Objections and Responses to the United States' Second Request of Interrogatories was served on opposing counsel via electronic mail.

/s/ Kathleen T. Hunker KATHLEEN T. HUNKER Special Counsel

GENERAL OBJECTIONS

Under Rule 26(b)(1), the proper scope of discovery is limited to "any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case." Fed. R. Civ. P. 26(b)(1) (2015). Among the considerations that are germane to that inquiry are "the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit." *Id.* The twin demands for relevancy and proportionality "are related but distinct requirements." *Samsung Electronics Am., Inc. v. Chung*, 321 F.R.D. 250, 279 (N.D. Tex. 2017). Thus, if the information sought is irrelevant to the party's claims or defenses, "it is not necessary to determine whether it would be proportional if it *were* relevant." *Walker v. Pioneer Prod. Servs., Inc.*, No. CV 15-0645, 2016 WL 1244510, at *3 (E.D. La. Mar. 30, 2016). Conversely, "relevance alone does not translate into automatic discoverability" because "[a]n assessment of proportionality is essential." *Motorola Sols., Inc. v. Hytera Comme 'ns Corp.*, 365 F. Supp. 3d 916, 924 (N.D. Ill. 2019). Accordingly, State Defendants object to these requests to the extent that the information sought is either irrelevant or disproportionate.

State Defendants object to the definition of "conviction" or "convicted" as vague, overbroad, and ambiguous. Specifically, the term "an admission or finding of guilt" is subject to different interpretations. State Defendants understand the term to include pleas of guilt, stipulations of guilt, and acknowledgments of the offense. Therefore, State Defendants understand the terms "conviction" and "convicted" not to pertain to cases in which a defendant or suspect pleaded nolo contendere or no contest, or to cases in which a defendant otherwise reached an outcome that—though not a conviction by a judge or jury in a court of law—nonetheless involved violation of Texas Law.

State Defendants also object to the definition of "impermissible in-person voter assistance" as vague and ambiguous. Specifically, it is defined as "the acts of influencing or coercing a voter in the presence of their ballot"; yet Interrogatory No. 4 seeks instances of "impermissible in-person voter assistance" that occurred "by influencing or coercing a voter in the presence of their ballot." Therefore, this definition is tautological, and its meaning is not discernible. For this reason, State Defendants interpret the term "impermissible in-person voter assistance" to mean any in-person voter assistance that is not permissible.

Finally, State Defendants object to the definition of "voting by impersonation" as vague and ambiguous. The definition uses the term "vote harvesting," which is not defined. Therefore, State Defendants adopt the meaning of "vote harvesting" that State Defendants have otherwise used in the course of this litigation. Furthermore, the definition of "voting by impersonation" includes "improperly returning a ballot on behalf of another," which is a broad, sweeping, and undefined category of conduct. For this reason, the term "voting by impersonation" is vague and ambiguous because it is not limited in scope. Hence, State Defendants interpret the term "voting by impersonation" as those instances in which someone illegally votes as or on behalf of someone who is eligible to vote that does not constitute vote harvesting.

These answers and objections are made without waiving any further objections to, or admitting the relevancy or materiality of, any of the information requested. All answers are given without prejudice to State Defendants' right to introduce or object to the discovery of any documents, facts, or information discovered after the date hereof. Likewise, these answers and objections are not intended to be, and shall not be construed as, agreement with the United States' characterization of any facts, circumstances, or legal obligations. State Defendants reserve the right to contest any such characterization as inaccurate and object to the Requests insofar as they contain any express or implied assumptions of fact or law concerning matters at issue in this litigation.

State Defendants will provide their answers based on terms as they are commonly understood and consistent with the Federal Rules of Civil Procedure. State Defendants object to and will refrain from extending or modifying any words employed in the Requests to comport with any expanded definitions or instructions. State Defendants will answer the Requests to the extent required by the Federal Rules of Civil Procedure and the Local Rules of the Western District of Texas.

SPECIFIC OBJECTIONS AND RESPONSES TO THE UNITED STATES' SECOND SET OF INTERROGATORIES

<u>INTERROGATORY NO. 4:</u> State each instance in which a person has been convicted of violating Texas law for providing or attempting to provide impermissible in-person voter assistance by influencing or coercing a voter in the presence of their ballot, including but not limited to relevant violations of Sections 64.012(a)(4), 64.036, 276.013(a)(1), and 276.013(a)(6) of the Texas Election Code.

OBJECTIONS AND RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case and unduly burdensome, including for the reason that the United States does not limit its request to particular date ranges or particular statutory provisions. To that end, State Defendants object to this interrogatory to the extent that it requires State Defendants to search and examine all case records without limitation to time or statutory provision. *See* Fed. R. Civ. P. 26(b)(1). The Office of the Attorney General of Texas began tracking, investigating, and prosecuting election fraud cases in 2004. Therefore, State Defendants read this interrogatory to seek information dating from 2004 to the present. Furthermore, the Office of the Attorney General of Texas may not be aware of other prosecutions that may have been filed by criminal district attorneys.

Additionally, State Defendants object to this Interrogatory to the extent that it calls for information that is publicly available or otherwise equally accessible to the United States. In that same vein, the Office of the Attorney General has already produced charts of pending and completed prosecutions from the Office of the Attorney General, as well as copies of prosecution-diversion agreement at bates stamped ranges STATE087312–STATE087395. Those materials represent a summary of business records held by the Office of the Attorney General, and ascertaining the information requested in this interrogatory will impose substantially the same burden on OAG as it would Plaintiffs' counsel. Fed. R. Civ. P. 33(d).

Finally, State Defendants object to this interrogatory to the extent that it calls for information subject to investigative privilege, attorney—client privilege, or attorney work-product privilege. Because the Office of the Attorney General is actively involved in investigations and prosecutions of election-related crimes, all three privileges likely apply to on-going investigations and prosecutions.

Subject to and without waiving these objections, State Defendants answer as follows:

The following table represents convictions for providing impermissible in-person voter assistance by influencing or coercing a voter in the presence of his or her ballot but does not include mere instances of such occurrences without convictions:

Case No.	Name	Location	Resolution Date	Laws Violated	Final Disposition
		Nueces/ San Patricio County	6/12/2018	Tex. Elec. Code§§ 64.012, 86.006, 64.036	Convicted
	Maria Dora Flores	Nueces County	8/4/2006	Tex. Elec. Code§ 64.012	Pleaded Guilty
11-05590- CRM- CCL1	Christine Thomas Shank	Brazos County	2/6/2012	Tex. Elec. Code§ 64.036	Pleaded Guilty
11082011CCL- B	enalization and the second sec	Dallas/ Rockwall County	4/5/2012	Tex. Elec. Code§§ 86.006, 64.036, 86.010	Pleaded Guilty
4-CCR-02977- A/14-CCR- 02983-A/14- CCR-02984- A/14-CCR- 02985-A/14- CCR-02987- A/14-CCR- 02989-A/14- CCR-02991- A/14-CCR- 02993-A/14- CCR-02995- A/14-CCR- 02996-A/14- CCR-02997- A/14-CCR- 02999-A/14- CCR-03003-A	Tomasa Chavez	Cameron County	1/22/2015	Tex. Elec. Code§§ 86.0051, 86.010, 86.006, 64.036	Pleaded Guilty
especial control programme	Facunda Garcia	Cameron County	3/19/2015	Tex. Elec. Code§ 64.036	Pleaded Guilty

14-CCR-02978- C/14-CCR- 02998-C/14- CCR-03000- C/14-CCR- 03001-C/14- CCR-03002- C/14-CCR- 03004-C/14- CCR-03005- C/14-CCR- 03006-C/14- CCR-03007- C/14-CCR- 03008-C	Vicenta Verino	Cameron County	8/19/2015	Tex. Elec. Code§§ 64.036, 86.010, 86.0051, 86.006	Pleaded Guilty
CR-15-08767- E; CR-15-08768-E; CR-15-08769-E; CR-15-08770- E; CR-15-08771-E; CR-15-08773- E; CR-15-08774-E; CR-15-08775-E; CR-15-08776- E; CR-15-08778-E; CR-15-08779- E; CR-15-08780-E; CR-15-08781-E		Hidalgo County	7/11/2016	Tex. Elec. Code§ 64.036	Pleaded Guilty
20080,20081	Christina Lichtenberger	Duval/Live Oak County	12/14/2010	Tex. Elec. Code§§ 64.036, 86.006	Pleaded Guilty
20082,20083	Andrea Campos Bierstedt	Duval/Live Oak County	12/14/2010		Acknowledgment of Offense

14-CCR-02979- A/14-CCR- 03010-A/14- CCR-03011-A	Bernice Garcia	Cameron County	4/8/2015	-	Acknowledgment of Offense
CX3772923814	Consuelo Barrientos Cantu	Frio County	6/15/2018	Tex. Elec. Code§ 64.036	Stipulation of Guilt
CX3772923814	Maria Delcarmen Vela	Frio County	6/15/2018	Tex. Elec. Code§ 64.036	Stipulation of Guilt
20084, 20085, 20086, 20087, 20088, 20089, 20090,20091	Alicia Pena Perez	Duval/Live Oak County	12/14/2010	Tex. Elec. Code§§ 64.036, 86.006	Pleaded Guilty

INTERROGATORY NO. 5: State each instance in which a person has been convicted of violating Texas law by voting or attempting to vote by impersonation using a mail ballot, including but not limited to violations of Sections 64.012, 64.036, 276.013(a)(2), 276.013(a)(3), or 276.013(a)(7) of the Texas Election Code.

OBJECTIONS AND RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, and unduly burdensome, including for the reason that the United States does not limit its request to particular date ranges or particular statutory provisions. To that end, State Defendants object to this interrogatory to the extent that it requires State Defendants to search and examine all case records without limitation to time or statutory provision. *See* Fed. R. Civ. P. 26(b)(l). The Office of the Attorney General of Texas began tracking, investigating, and prosecuting election fraud cases in 2004. Therefore, State Defendants read this interrogatory to seek information dating from 2004 to the present. Furthermore, the Office of the Attorney General of Texas may not be aware of other prosecutions that may have been filed by criminal district attorneys.

Additionally, State Defendants object to this interrogatory to the extent that it calls for information that is publicly available or otherwise equally accessible to the United States. In that same vein, the Office of the Attorney General has already produced charts of pending and completed prosecutions from the Office of the Attorney General, as well as copies of prosecution-diversion agreement at bates stamped ranges STATE087312-STATE087395. Those materials represent a summary of business records held by the Office of the Attorney General, and ascertaining the information requested in this interrogatory will impose substantially the same burden on OAG as it would Plaintiffs' counsel. Fed. R. Civ. P. 33(d).

Finally, State Defendants object to this interrogatory to the extent that it calls for information subject to investigative privilege, attorney-client privilege, or attorney work-product privilege. Because the Office of the Attorney General is actively involved in investigations and prosecutions of election-related crimes, all three privileges likely apply to on-going investigations and prosecutions.

Subject to and without waiving these objections, State Defendants answer as follows:

State Defendants understand this interrogatory not to pertain to cases involving violation of Texas Law for voting or attempting to vote by impersonation not through the use of a mail ballot. Nor do State Defendants understand this interrogatory to pertain to cases that might also constitute vote harvesting. Therefore, State Defendants identify the following convictions for voting or attempting to vote by impersonation using a mail ballot but do not include mere instances of such occurrences without convictions:

Case No.	Name	Location	Resolution Date	Laws Violated	Final Disposition
B-05-2101- 0- CR-B	Melva Kay Ponce	Bee County	7/26/2005	Tex. Elec. Code§ 64.012	Pleaded Guilty

SUPPLEMENTAL RESPONSE: Subject to State Defendants' understanding of the meaning and parameters of this interrogatory as set forth in their original response, the individual and case identified above remains the only instance that is responsive to this interrogatory.

INTERROGATORY NO. 6: State the number of voters who have collected, modified, or added a Texas driver's license number, Texas election identification certificate number, Texas personal identification card number, or the last four digits of their social security number to their voter registration record using any online portals provided pursuant to SB 1 from December 2, 2021 until the present, disaggregated by portal. In answering this interrogatory, do not include voter registration information submitted or updated as part of an online driver license renewal or change-of-address transaction, pursuant to Section 5 of the National Voter Registration Act, 52 U.S.C. § 20504, and the settlement agreement in *Stringer v. Hughs*, No. 5:21-cv-46 (W.D. Tex.).

OBJECTIONS AND ORIGINAL RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. Additionally, State Defendants object to this interrogatory to the extent that it requests information through "the present," which would result in the inclusion of incomplete and inaccurate information if applied to the May 7, 2022 election, for which early voting began on April 25, 2022. Subject to and without waiving these objections,

State Defendants answer as follows:

State Defendants do not possess the capability to provide information responsive to this interrogatory. Aside from the methods specifically excluded in the interrogatory itself, the only "online portal[]" through which the referenced identifying information could have been updated by a voter is located on the Texas.gov website. That website is maintained by the Texas Department of Information Resources, which is not a party to this case. A voter is required to enter his current driver license number, ID number, voter registration card VUID, and Social Security Number in order to access this portal for the purpose of updating the voter's name or address. The identifying information of voters who submit a change of name or address on Texas.gov is transmitted to the Office of the Texas Secretary of State ("SOS") on a nightly basis. If the TEAM database is missing the driver license/ID number or Social Security number disclosed by the voter in gaining access to Texas.gov, that voter's missing information is updated in TEAM.

There is no individual field or combination of fields in TEAM that would allow State Defendants to isolate the specific information requested in this interrogatory. The TEAM system contains an audit log that tracks the history of changes or updates made to a voter's record, but that audit log does not differentiate between the types of changes offered through the Texas.gov system. Because of these limitations that are inherent in the TEAM system, State Defendants are unable to provide data that is responsive to this interrogatory.

SUPPLEMENTAL RESPONSE:

Subject to State Defendants' understanding of the meaning and parameters of this interrogatory as set forth in their original response, State Defendants remain unable to provide data responsive to this interrogatory.

INTERROGATORY NO. 7: State the number of voters who have cured identification defects in their Application for a Ballot By Mail using any online portals provided pursuant to SB 1 from December 2, 2021 until the present, disaggregated by portal.

OBJECTIONS AND ORIGINAL RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. Additionally, State Defendants object to this interrogatory to the extent that it requests information through "the present," which would result in the inclusion of incomplete and inaccurate information if applied to the May 7, 2022 election, for which early voting began on April 25, 2022. Subject to and without waiving these objections, State Defendants answer as follows:

The only "online portal[]" through which identification defects in a voter's Application for a Ballot By Mail ("ABBM") may be cured is the Ballot by Mail Tracker available at VoteTexas.gov.² A voter can use the Tracker to cure an initial failure to provide any of the required personal identification numbers or if the numbers provided do not match the voter registration record. While SOS can

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² https://teamrv-mvp.sos.texas.gov/BallotTrackerApp/#/login

determine the number of voters who used the Tracker to correct a defect in their ABBM and subsequently had their ABBM accepted, this total does not necessarily provide the exact information requested in this interrogatory. That is because the TEAM system is a living database that captures only the current or most recent status associated with any information in a voter's record. Therefore, State Defendants can only provide ABBM figures for the March 1, 2022 Primary reflecting the final status of voters in the TEAM system. With those caveats and limitations in mind, State Defendants can represent that the total number of ABBMs submitted for the March 1, 2022 Primary was 264,647; the total number of voters who used the Tracker to correct a defect in their ABBM was 364; and the total number of those voters who used the Tracker to correct a defect in their ABBM and either had their ABBM accepted or cancelled their application and instead voted in person was 237.

<u>SUPPLEMENTAL RESPONSE</u>: Subject to State Defendants' understanding of the meaning and parameters of this interrogatory as set forth in their original response, State Defendants supplement their response with the following counts as calculated by the Texas Secretary of State:

May 7, 2022 Constitutional Amendment Election

Total number of ABBMs submitted: 288,865.

Total number of voters who used the Ballot by Mail Tracker to correct a defect in their ABBM: 48.

Total number of voters who used the Ballot by Mail Tracker to correct a defect in their ABBM and had their ABBM accepted or cancelled their application and voted in person: 16.

May 24, 2022 Primary Runoff Election

Total number of ABBMs submitted: 280,277.

Total number of voters who used the Ballot by Mail Tracker to correct a defect in their ABBM: 11.

Total number of voters who used the Ballot by Mail Tracker to correct a defect in their ABBM and had their ABBM accepted or cancelled their application and voted in person: 7.

November 8, 2022 General Election

Total number of ABBMs submitted: 431,571.

Total number of voters who used the Ballot by Mail Tracker to correct a defect in their ABBM: 523.

Total number of voters who used the Ballot by Mail Tracker to correct a defect in their ABBM and had their ABBM accepted or cancelled their application and voted in person: 419.

<u>INTERROGATORY NO. 8:</u> State the number of voters who have cured carrier envelope identification defects using any online portal provided pursuant to SB 1 from February 9, 2022 to present, disaggregated by portal.

OBJECTIONS AND ORIGINAL RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. Additionally, State Defendants object to this interrogatory to the extent that it requests information through "the present," which would result in the inclusion of incomplete and inaccurate information if applied to the May 7, 2022 election, for which early voting began on April 25, 2022. Subject to and without waiving these objections, State Defendants

answer as follows:

The only "online portal[]" through which a voter may cure carrier envelope identification defects is again the Ballot by Mail Tracker available at VoteTexas.gov. Using this portal, a voter can cure the following three defects:

- 1. The carrier envelope did not contain the voter's Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number, or the Last 4 digits of his Social Security Number;
- 2. The identification number provided by the voter did not match the number associated with his voter registration record; or
- 3. The voter was not issued one of the documents with the required number and did not indicate this fact on the carrier envelope.

SOS can determine the number of voters who used the Tracker to correct a defective carrier envelope and subsequently had their mail-in ballot accepted, but this total does not necessarily provide the exact information requested in this interrogatory. That is because the TEAM system is a living database that captures only the current or most recent status associated with any information in a voter's record. Therefore, State Defendants can only provide mail ballot figures for the March 1, 2022 Primary reflecting the final status of voters in the TEAM system. Considering those limitations, State Defendants can represent that the total number of mail ballots submitted for the March 1, 2022 Primary was 198,947; the total number of voters who used the Tracker to correct a defective carrier envelope was 2,628; and the total number of voters who used the Tracker to correct a defective carrier envelope and either had their mail ballot accepted or cancelled their mail ballot and instead voted in person was 1,788.

<u>SUPPLEMENTAL RESPONSE</u>: Subject to State Defendants' understanding of the meaning and parameters of this interrogatory as set forth in their original response, State Defendants supplement their response with the following counts as calculated by the Texas Secretary of State:

May 7, 2022 Constitutional Amendment Election

Total number of mail ballots submitted: 190,469.

Total number of voters who used the Ballot by Mail Tracker to correct a defective carrier envelope: 1,017.

Total number of voters who used the Ballot by Mail Tracker to correct a defective carrier envelope and had their mail ballot accepted or cancelled their mail ballot and voted in person: 937.

May 24, 2022 Primary Runoff Election

Total number of mail ballots submitted: 183,260.

Total number of voters who used the Ballot by Mail Tracker to correct a defective carrier envelope: 1,071.

Total number of voters who used the Ballot by Mail Tracker to correct a defective carrier envelope and had their mail ballot accepted or cancelled their mail ballot and voted in person: 1,063.

November 8, 2022 General Election

Total number of mail ballots submitted: 345,679.

Total number of voters who used the Ballot by Mail Tracker to correct a defective carrier envelope: 1,531.

Total number of voters who used the Ballot by Mail Tracker to correct a defective carrier envelope and had their mail ballot accepted or cancelled their mail ballot and voted in person: 1,496.

IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

LA UNIÓN DEL PUEBLO ENTERO, et al., *Plaintiffs*,

v. 5:21-cv-844-XR

GREGORY W. ABBOTT, et al., *Defendants*.

UNITED STATES OF AMERICA,

Plaintiff,

v. 5:21-cv-1085-XR

THE STATE OF TEXAS, et al., *Defendants*.

STATE DEFENDANTS' OBJECTIONS AND RESPONSES TO THE UNITED STATES' FOURTH SET OF INTERROGATORIES

TO: Plaintiff the United States of America, by and through its attorneys of record, Jennifer Yun, Daniel J. Freeman, Dana Paikowsky, and Michael E. Stewart, United States Department of Justice Civil Rights Division, 950 Pennsylvania Avenue NW, Washington, DC 20530.

Defendants Jane Nelson, in her official capacity as the Texas Secretary of State, and the State of Texas ("State Defendants") hereby serve their Objections and Responses to the United States' Fourth Set of Interrogatories pursuant to the Federal Rules of Civil Procedure. Because present circumstances prevent State Defendants from signing these responses, State Defendants' counsel will serve properly executed interrogatory answers on the requesting party not later than 21 days after serving these unexecuted answers. *See* W.D. Tex. Local Rule CV-33(a).

Date: March 24, 2023 Respectfully submitted.

KEN PAXTON CHRISTOPHER D. HILTON

Attorney General of Texas Chief, General Litigation Division

Tex. State Bar No. 24087727

Brent Webster

First Assistant Attorney General

/s/ Kathleen T. Hunker

KATHLEEN T. HUNKER

GRANT DORFMAN Special Counsel

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Counsel for State Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of March, 2023, the attached State Defendants' Objections and Responses to the United States' Fourth Set of Interrogatories was served on opposing counsel via electronic mail.

/s/ Kathleen T. Hunker KATHLEEN T. HUNKER Special Counsel

GENERAL OBJECTIONS

Under Rule 26(b)(1), the proper scope of discovery is limited to "any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case." Fed. R. Civ. P. 26(b)(1) (2015). Among the considerations that are germane to that inquiry are "the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit." *Id.* The twin demands for relevancy and proportionality "are related but distinct requirements." *Samsung Electronics Am., Inc. v. Chung*, 321 F.R.D. 250, 279 (N.D. Tex. 2017). Thus, if the information sought is irrelevant to the party's claims or defenses, "it is not necessary to determine whether it would be proportional if it were relevant." *Walker v. Pioneer Prod. Servs., Inc.*, No. CV 15-0645, 2016 WL 1244510, at *3 (E.D. La. Mar. 30, 2016). Conversely, "relevance alone does not translate into automatic discoverability" because "[a]n assessment of proportionality is essential." *Motorola Sols., Inc. v. Hytera Commc'ns Corp.*, 365 F. Supp. 3d 916, 924 (N.D. Ill. 2019). Accordingly, State Defendants object to these interrogatories to the extent that the information sought is either irrelevant or disproportionate.

All answers are given without prejudice to State Defendants' right to introduce or object to the discovery of any documents, facts, or information discovered after the date hereof. Likewise, these answers and objections are not intended to be, and shall not be construed as, agreement with the United States' characterization of any facts, circumstances, or legal obligations. State Defendants reserve the right to contest any such characterization as inaccurate and object to these interrogatories insofar as they contain any express or implied assumptions of fact or law concerning matters at issue in this litigation. State Defendants will provide their answers based on terms as they are commonly understood and consistent with the Federal Rules of Civil Procedure. State Defendants object to and will refrain from extending or modifying any words employed in these interrogatories to comport with any expanded definitions or instructions. State Defendants will answer the interrogatories to the extent required by the Federal Rules of Civil Procedure and the Local Rules of the Western District of Texas.

OBJECTIONS AND RESPONSES TO THE UNITED STATES' FOURTH SET OF INTERROGATORIES

<u>INTERROGATORY NO. 10.</u> State the number of voter records in the Texas Election Administration Management (TEAM) database for which the "Mail In Request Reject Reason" field is populated with "NT," or "No TDL/SSN in VR Record," in relation to any application for an absentee ballot by mail for the November 8, 2022 general election.

OBJECTION AND RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. These answers and objections are made without waiving any further objections to, or admitting the relevancy or materiality of, any of the information requested.

The Office of the Texas Secretary of State ("SOS") is capable of determining the number of voter records in the TEAM system for which, as of the date of SOS's query, the "Mail In Request Reject Reason" field is populated with "NT" or "No TDL/SSN in VR Record" for the November 8, 2022 General Election. However, this total does not necessarily provide the exact information requested in this interrogatory. That is because the TEAM system is a living database that captures only the current or most recent status associated with any information in a voter's record, including the "Mail In Request Reject Reason" field. If an individual's voter record is updated by a county election official during the absentee ballot by mail ("ABBM") process, any intermediate status associated with that voter is no longer reflected in the TEAM system post-update. Therefore, State Defendants can only provide ABBM rejection figures for the November 8, 2022 General Election reflecting the status of voters in the TEAM system on the date that the query was run in TEAM. Considering those limitations, State Defendants can represent that, as of March 6, 2023, the total number of voter records in the TEAM system for which the "Mail In Request Reject Reason" field is populated with "NT" or "No TDL/SSN in VR Record" for the November 8, 2022 General Election was 163.

INTERROGATORY NO. 11. Identify each county that sought approval to provide supplemental information, instructions, or guidance concerning SB 1 identification number requirements in the ballot package for the November 8, 2022 general election, including but not limited to any insert, letter, or modification of standard materials prescribed by the Office of the Secretary of State.

OBJECTION AND RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. These answers and objections are made without waiving any further objections to, or admitting the relevancy or materiality of, any of the information requested.

Counties need not seek SOS's approval when providing additional information, instructions, or guidance—including explanatory inserts or letters—concerning SB 1 identification number

requirements. When requested to do so by county election officials, SOS's role in relation to such materials is to assist and advise those officials with the application, operation, and interpretation of the Texas Election Code. Under Section 31.002 of the Texas Election Code, SOS prescribes the design and content of official election forms to ensure consistency with the requirements of the Code. More specifically, SOS prescribes the required textual material that must be included on the official ballot envelope pursuant to Section 86.012 of the Texas Election Code. Additionally, Section 86.013 of the Texas Election Code sets forth parameters for the design and content of the official carrier envelope, and SOS prescribes textual material that must be included on the official carrier envelope pursuant to Section 86.013(d).

However, SOS has not established a formal tracking system to account for all requests by county election officials for assistance and advice relating to mail balloting materials. Nor has SOS established a formal tracking system for county requests for assistance and advice regarding the modification of prescribed forms in a manner that still satisfies the requirements set forth in the Texas Election Code. Considering those limitations, State Defendants have been able to determine after a diligent search that at least the following counties contacted SOS about modifying prescribed forms or including supplemental mail balloting materials describing the SB 1 identification number requirements:

- Bexar County
- Harris County
- Jefferson County
- Navarro County

<u>INTERROGATORY NO. 12.</u> Identify additional employee or contractor positions (i.e., any additional headcount) created by the Office of the Secretary of State during the general election period to facilitate, support, or assist with mail voting or the implementation of SB 1 identification requirements. In answering this interrogatory, please provide a description of their duties, work hours, and compensation.

OBJECTION AND RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. These answers and objections are made without waiving any further objections to, or admitting the relevancy or materiality of, any of the information requested.

Elections in Texas are largely decentralized, with counties taking a leading role in the administration of elections and SOS providing assistance and advice to election officials upon request. While the SOS hired employees in its Elections Division during the time period in question, no additional employee or contractor positions were created within SOS in response to SB 1's identification requirements. Any assistance or advice provided regarding such requirements fell within SOS's existing resources.

<u>INTERROGATORY NO. 13.</u> State the amount of money spent by the Office of the Secretary of State on voter education specific to SB 1 identification requirements during the general election period and how that money was allocated.

OBJECTION AND RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. These answers and objections are made without waiving any further objections to, or admitting the relevancy or materiality of, any of the information requested.

While SOS engaged in substantial voter outreach and education efforts for the 2022 election cycle, it does not possess the means to determine the precise amount spent on voter education specific to SB 1 identification requirements during the time period in question given the manner in which the funds were expended. SOS's voter education efforts were not itemized by specific provisions of the Texas Election Code or any particular enacted legislation, including SB 1. Considering those limitations, State Defendants can represent that SOS dedicated approximately \$3.5 million toward voter education related to voter ID requirements during the 2022 election cycle, which includes the March 2022 Primary Election, the May 7, 2022 Uniform Election, the May 2022 Primary Runoff Election, and the November 2022 General Election. This included approximately \$1.5 million in paid media purchases related to voter ID requirements in relation to the General Election. However, these media purchases addressed ID requirements for both voting in person and voting by mail. As such, the SOS is unable to identify spending totals that are disaggregated based on voting type.

<u>INTERROGATORY NO. 14.</u> Identify all voter education undertaken by the Office of the Secretary of State specifically related to SB 1 identification requirements during the general election period, including but not limited to the timing, format, and distribution of such voter education activities.

OBJECTION AND RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. These answers and objections are made without waiving any further objections to, or admitting the relevancy or materiality of, any of the information requested.

While SOS engaged in substantial voter outreach and education efforts for the 2022 election cycle, it does not possess the means to identify efforts specific to SB 1 identification requirements during the time period in question given the manner in which the funds were expended. SOS's voter education efforts were not itemized by specific provisions of the Texas Election Code or any particular enacted legislation, including SB 1. Considering those limitations, State Defendants can represent that SOS's voter education efforts addressing voter ID requirements included paid media purchases, including television and radio ads, local television segments, digital ad banners, print ads in various languages, billboards, gas pump toppers, window clings, and paid social media ads. However, these efforts addressed ID requirements for both voting in person and voting by mail as a whole and were not separated by voting type. Identifying the timing, format, and distribution of each voter education activity, encompassing voting in person and voting by mail collectively, would be unduly burdensome and disproportionate to the needs of the case.

INTERROGATORY NO. 15. State the amount of money provided by the Office of the Secretary

of State to counties in the form of grants or other financial support for the purpose of implementing SB 1 identification requirements during the general election period and how that money was allocated, including but not limited to the timing, conditions, and recipients of such payments.

OBJECTION AND RESPONSE:

State Defendants object to this interrogatory to the extent that the information sought is not proportional to the needs of this case, overly broad, irrelevant to any claim or defense, not reasonably specific, or unduly burdensome. These answers and objections are made without waiving any further objections to, or admitting the relevancy or materiality of, any of the information requested.

While SOS has provided counties with grants and similar financial support related to the administration of elections during the relevant time period, it is unaware of any such grants that were provided "for the purpose of implementing SB 1 identification requirements."

Nonstandard Document Submitted to the Court via USB Drive

Submitted to the Court via USB Drive Under Seal

Submitted to the Court via USB Drive Under Seal

FOR IMMEDIATE RELEASE FRIDAY MARCH 11, 2022

CONTACT: Leah Shah Leah.Shah@Vote.hctx.net (832) 584-1659

89% of Mail Ballots Flagged Under New Law Rejected 19% of all Mail Ballots Received Rejected

(Houston, TX) – Of the 36,878 mail ballots received in time for the 2022 primary, 6,888 mail ballots were ultimately rejected as a direct result of Senate Bill 1. In comparison, for the 2018 primary only 135 of the 48,473 mail ballots received were rejected.

The primary was the first election under SB 1. The bill requires Texans voting by mail to include their Texas ID number or Social Security number on their mail-in ballot's carrier envelope, and that number has to match with the ID listed in the voter registration database.

Confusion and frustration over the new requirements caused a swell of phone calls to the Election Administration's call center. Since January, the call center received 8,000 calls from people asking for help navigating the voting process This is higher than the monthly call volume in the lead up to the November 2020 and November 2021 election.

In response, the office doubled the number of staff dedicated to voter outreach, calling or emailing voters if contact information was on file to help them navigate the new system, followed by a letter of instruction on how to correct, or 'cure', ballots in effort to ensure their ballot would still be counted.

"Since the formation of the Harris County Elections Administration in November 2020, our office increased the number of registered voters in a non-presidential year, a first in Harris County, as a result of our new outreach program, an increased turnout of nearly every election we've hosted, increased access to voting by mail, and was one of four in the county to broaden access to voting while in jail. These restrictive voting laws continue to undermine our efforts to expand voter access and instead make voting harder," said Isabel Longoria, Harris County Elections Administrator.

Ultimately, of the 7,750 mail ballots flagged for rejection specifically due to ID issues, 849 were able to correct their ballots. An additional 13 voters were unable to, or opted out of, voting by mail altogether and appeared in person to cast their ballot.

Those eligible to vote by mail include senior citizens, those with disabilities, have recently given birth, are incarcerated, or are out of the county.

For more information on upcoming elections and the latest results from the March 1, 2022 Primaries, visit www.HarrisVotes.com and follow @HarrisVotes on Twitter, Facebook and Instagram.

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Submitted to the Court via USB Drive Under Seal

Submitted to the Court via USB Drive Under Seal

Message

From: Sam Taylor [SMTaylor@sos.texas.gov]

Sent: 3/14/2022 8:11:34 PM

To: 'Weber, Paul' [pweber@ap.org]

Subject: RE: AP/Ballot rejections

Hi Paul,

We ran the ABBM rejection rate numbers on February 24th – about a week after the February 18th deadline – and the final rejection rate was about 3.8% -- see below for specific numbers and party breakdown:

Election		Total	Applications Accepted	Applications Rejected
2022 March Republican Primary	ABBM	113,868	107,642	5,324
	FPCA	1,042	742	6
2022 March Democratic Primary	ABBM	144,136	138,672	4,616
	FPCA	1,996	1,606	21
Total	АВВМ	258,004	246,314	9,940
	FPCA	3,038	2,348	27

9,940 ABBM rejections out of 258,004 ABBMs received, comes out to a 3.852% rejection rate.

Hope this helps,

Sam Taylor

Assistant Secretary of State for Communications
Office of the Texas Secretary of State

smtaylor@sos.texas.gov Office: 512-463-6116 Cell: 512-538-5293



From: Weber, Paul <pweber@ap.org>
Sent: Monday, March 14, 2022 2:22 PM
To: Sam Taylor <SMTaylor@sos.texas.gov>

Subject: RE: AP/Ballot rejections

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Thanks, Sam. Appreciate it.

One last question – What was the final VBM application rejection rate? Bettencourt's office said 3.35%. Is that correct?

From: Sam Taylor <<u>SMTaylor@sos.texas.gov</u>>
Sent: Monday, March 14, 2022 1:40 PM
To: Weber, Paul <<u>pweber@ap.org</u>>
Subject: RE: AP/Ballot rejections

[EXTERNAL]

Hi Paul,

We're still waiting for all 254 counties to report their final official results, as well as voting history and information regarding mail-in ballot rejections, to our office, so we do not have comprehensive statewide statistics until all data points are uploaded into our system.

As for a comment, You can attribute the following statement to me:

"Based on what we have heard from county election officials, the vast majority of mail-in ballot rejections were due to voters who did not provide any ID information on their carrier envelope, despite having successfully applied for a mail-in ballot using the very same ID information on their Application for a Ballot by Mail. While in years past we have focused our voter education efforts on in-person ID requirements, this year we are also devoting a significant portion of our voter education campaign to enhancing awareness of the new mail-in ballot ID requirements. We are confident we will have all the information we need to apply any lessons learned during the primary to an even more robust voter education campaign heading into the November General Election."

Best,

Sam Taylor

Assistant Secretary of State for Communications
Office of the Texas Secretary of State
smtaylor@sos.texas.gov

Office: 512-463-6116 Cell: 512-538-5293



From: Weber, Paul Poweber@ap.org>
Sent: Monday, March 14, 2022 1:10 PM
To: Sam Taylor <<pre>SMTaylor@sos.texas.gov>

Subject: AP/Ballot rejections

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to

Hi Sam -

Hope you had a good weekend. Reaching out for comment about one more story we have coming about ballot rejections:

Our AP tally of final ballot rejections, based on those final reconciliation reports and contacting counties directly, shows nearly 23,000 rejected ballots. Statewide, that averaged out to a nearly 14% rejection rate.

Couple questions:

- 1) Has your office completed compiling this data from counties as well? If so, what numbers do you have?
- 2) Based on available reports from the U.S. Election Assistance Commission, this is more ballot rejections (and a higher election rate) than in any Texas election since at least 2004. Are these record number?
- 3) Since the primary ended, has the governor or lawmakers reached out to your office to discuss these high rate of rejected ballots?
- 4) Any comment from your office about these final rejected rates?

Thanks again for all your help these last couple weeks.

Paul



ASSOCIATED PRESS

Paul Weber Reporter 1010 Brazos Austin, Texas 78701 Office: 512.472.4004 Mobile: 210.837.2215

pweber@ap.org ap.org

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Message

From: Keith Ingram [KIngram@sos.texas.gov]

Sent: 4/7/2022 8:00:55 PM

To: justin.williamson@house.texas.gov
CC: Adam Bitter [ABitter@sos.texas.gov]
Subject: county by county mail ballot numbers

Attachments: 2022 Primary BBM A-R.xlsx

Sensitivity: Personal

Based on Canvassed totals, below are the official turnout figures for the March 1 Primary Elections:

	Total Number of Ballots Cast	
Democratic	1,075,601	
Republican	1,954,172	
Statewide Total	3,029,773	

Based on vote history data submitted to our office by each of Texas' 254 counties, the mail-ballot rejection numbers and rates are as follows:

Party	Total Number of Mail Ballots	Total Mail Ballots Rejected	Rejection Percentage
Democratic	110,967	14,281	12.87%
Republican	87,980	10,355	11.77%
Statewide Total	198,947	24,636	12.38%

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)

www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as personal legal advice to you for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Nonstandard Document Submitted to the Court via USB Drive

County	Ballots by Mail		
·	Accepted	Rejected	% Rejected
Anderson	88	2	2.22%
Andrews	3	0	0.00%
Angelina	253	24	8.66%
Aransas	91	19	17.27%
Archer	16	0	0.00%
Armstrong	4	0	0.00%
Atascosa	141	9	6.00%
Austin	79	0	0.00%
Bailey	6	0	0.00%
Bandera	59	13	18.06%
Bastrop	466	46	8.98%
Baylor	4	0	0.00%
Bee	152	7	4.40%
Bell	833	6	0.72%
Bexar	9757	2797	22.28%
Blanco	50	9	15.25%
Borden	1	0	0.00%
Bosque	42	6	12,50%
Bowie	307	21	6.40%
Brazoria	884	42	4,54%
Brazos	470	31	6.19%
Brewster	101	1	0.98%
Briscoe	11	0	0.00%
Brooks	117	2	1.68%
Brown	57	3	5.00%
Burleson	58	16	21.62%
Burnet	249	9	3.49%
Caldwell	157	13	7.65%
Calhoun	80	2	2.44%
Callahan	18	0	0.00%
Cameron	1292	130	9.14%
Camp	61	2	3.17%
Carson	7	0	0.00%
Cass	122	3	2,40%
Castro	12	0	0.00%
Chambers	62	5	7.46%
Cherokee	109	9	7.63%
Childress	2	0	0.00%
Clay	18	2	10.00%
Cochran	3	0	0.00%
Coke	10	0	0.00%
Coleman	7	0	0.00%

Collin	2027	330	14.00%
Collingsworth	1	0	0.00%
Colorado	72	24	25,00%
Comal	687	96	12.26%
Comanche	32	1	3.03%
Concho	11	0	0.00%
Cooke	67	6	8,22%
Coryell	139	2	1.42%
Cottle	4	0	0.00%
Crane	5	0	0.00%
Crockett	4	1	20,00%
Crosby	20	0	0.00%
Culberson	14	0	0.00%
Dallam	7	0	0,00%
Dallas	7269	557	7.12%
Dawson	11	0	0.00%
Deaf Smith	27	0	0.00%
Delta	26	5	16.13%
Denton	1943	238	10,91%
Dewitt	23	1	4.17%
Dickens	6	0	0.00%
Dimmit	116	0	0.00%
Donley	3	0	0.00%
Duval	367	2	0.54%
Eastland	48	0	0.00%
Ector	210	0	0,00%
Edwards	2	0	0.00%
El Paso	3609	762	17,43%
Ellis	368	58	13.62%
Erath	61	5	7.58%
Falls	47	0	0.00%
Fannin	119	1	0.83%
Fayette	129	6	4,44%
Fisher	30	3	9.09%
Floyd	5	2	28,57%
Foard	1	0	0.00%
Fort Bend	2822	383	11,95%
Franklin	23	0	0,00%
Freestone	40	3	6.98%
Frio	231	33	12,50%
Gaines	14	0	0.00%
Galveston	1270	187	12.83%
Garza	5	1	16.67%
Gillespie	146	1	0,68%

Glasscock	2	0	0.00%
Goliad	31	3	8.82%
Gonzales	53	3	5.36%
Gray	39	0	0.00%
Grayson	353	46	11.53%
Gregg	426	63	12.88%
Grimes	67	29	30.21%
Guadalupe	548	96	14.91%
Hale	46	7	13.21%
Hall	13	0	0.00%
Hamilton	17	0	0.00%
Hansford	4	0	0.00%
Hardeman	10	0	0.00%
Hardin	108	6	5.26%
Harris	17784	3814	17.66%
Harrison	163	70	30.04%
Hartley	6	0	0.00%
Haskell	12	0	0.00%
Hays	1560	127	7.53%
Hemphill	3	0	0.00%
Henderson	251	26	9.39%
Hidalgo	2001	488	19.61%
Hill	60	2	3.23%
Hockley	28	0	0.00%
Hood	160	19	10.61%
Hopkins	98	11	10,09%
Houston	102	8	7.27%
Howard	64	6	8,57%
Hudspeth	0	0	0.00%
Hunt	136	16	10.53%
Hutchinson	14	1	6.67%
Irion	2	0	0.00%
Jack	17	0	0.00%
Jackson	41	1	2.38%
Jasper	98	1	1.01%
Jeff Davis	5	0	0.00%
Jefferson	1367	152	10.01%
Jim Hogg	206	0	0.00%
Jim Wells	163	119	42.20%
Johnson	305	37	10.82%
Jones	45	0	0.00%
Karnes	89	22	19.82%
Kaufman	195	34	14.85%
Kendall	154	1	0.65%

Kenedy	3	2	40.00%
Kent	0	0	0.00%
Kerr	232	20	7,94%
Kimble	5	0	0.00%
King	0	0	0.00%
Kinney	12	0	0.00%
Kleberg	178	4	2,20%
Knox	2	0	0.00%
Lamar	131	1	0,76%
Lamb	32	5	13.51%
Lampasas	65	1	1.52%
Lasalle	289	21	6.77%
Lavaca	102	11	9,73%
Lee	60	5	7.69%
Leon	52	0	0.00%
Liberty	120	3	2,44%
Limestone	70	4	5,41%
Lipscomb	13	1	7.14%
Live Oak	34	0	0.00%
Llano	202	18	8.18%
Loving	0	0	0.00%
Lubbock	618	27	4.19%
Lynn	6	0	0.00%
Madison	19	2	9.52%
Marion	58	17	22.67%
Martin	3	0	0,00%
Mason	16	0	0.00%
Matagorda	114	10	8,06%
Maverick	145	29	16.67%
Mcculloch	33	0	0.00%
Mclennan	847	57	6.31%
Mcmullen	2	0	0.00%
Medina	158	23	12.71%
Menard	12	0	0.00%
Midland	134	35	20,71%
Milam	88	0	0.00%
Mills	8	0	0.00%
Mitchell	9	0	0.00%
Montague	27	0	0.00%
Montgomery	1553	85	5,19%
Moore	11	0	0.00%
Morris	42	0	0.00%
Motley	4	0	0.00%
Nacogdoches	263	4	1,50%

Navarro	82	12	12.77%
Newton	38	7	15.56%
Nolan	30	2	6.25%
Nueces	1955	0	0.00%
Ochiltree	4	0	0.00%
Oldham	3	0	0.00%
Orange	288	11	3,68%
Palo Pinto	55	12	17,91%
Panola	50	1	1,96%
Parker	301	59	16,39%
Parmer	9	1	10.00%
Pecos	63	7	10.00%
Polk	187	17	8.33%
Potter	252	28	10,00%
Presidio	23	0	0.00%
Rains	24	1	4.00%
Randall	347	20	5.45%
Reagan	0	0	0.00%
Real	1	0	0.00%
Red River	40	0	0.00%
Reeves	92	2	2.13%
Refugio	46	4	8.00%
Roberts	3	0	0.00%
Robertson	74	8	9.76%
Rockwall	186	5	2.62%
Runnels	17	0	0.00%
Rusk	130	25	16.13%
Sabine	28	0	0.00%
San Augustine	34	1	2.86%
San Jacinto	93	3	3,13%
San Patricio	323	48	12.94%
San Saba	7	0	0.00%
Schleicher	7	0	0.00%
Scurry	13	0	0.00%
Shackelford	4	0	0.00%
Shelby	41	7	14.58%
Sherman	2	0	0.00%
Smith	686	68	9.02%
Somervell	15	0	0.00%
Starr	94	204	68,46%
Stephens	8	1	11.11%
Sterling	0	0	0.00%
Stonewall	8	0	0.00%
Sutton	4	0	0,00%

Swisher	32	1	3.03%
Tarrant	4892	856	14.89%
Taylor	259	4	1.52%
Terrell	15	0	0.00%
Terry	20	3	13.04%
Throckmorton	1	0	0.00%
Titus	84	7	7.69%
Tom Green	324	50	13,37%
Travis	8737	673	7.15%
Trinity	31	0	0.00%
Tyler	51	0	0.00%
Upshur	131	0	0.00%
Upton	5	0	0.00%
Uvalde	167	65	28,02%
Val Verde	204	0	0.00%
Van Zandt	83	14	14,43%
Victoria	485	59	10.85%
Walker	176	19	9.74%
Waller	120	39	24.53%
Ward	24	0	0.00%
Washington	89	1	1.11%
Webb	575	31	5,12%
Wharton	145	12	7.64%
Wheeler	11	0	0,00%
Wichita	226	54	19,29%
Wilbarger	44	1	2,22%
Willacy	65	5	7.14%
Williamson	2208	269	10,86%
Wilson	251	14	5.28%
Winkler	2	0	0,00%
Wise	140	11	7.28%
Wood	119	0	0,00%
Yoakum	3	0	0.00%
Young	0	0	0,00%
Zapata	57	9	13.64%
Zavala	83	0	0.00%
Statewide Totals	96464	14281	12.90%

County	Ballots by Mail Accepted	Ballots by Mail Rejected	% Rejected
Anderson	72	0	0.00%
Andrews	42	0	0.00%
Angelina	220	27	10.93%
Aransas	78	10	11.36%
Archer	35	0	0.00%
Armstrong	29	0	0.00%
Atascosa	112	9	7.44%
Austin	116	0	0.00%
Bailey	35	2	5.41%
Bandera	171	13	7.07%
Bastrop	346	31	8.22%
Baylor	9	0	0.00%
Bee	70	4	5.41%
Bell	1345	11	0.81%
Bexar	4326	1108	20.39%
Blanco	74	14	15.91%
Borden	12	0	0.00%
Bosque	82	16	16.33%
Bowie	359	23	6.02%
Brazoria	1479	93	5.92%
Brazos	740	111	13.04%
Brewster	23	0	0.00%
Briscoe	39	0	0.00%
Brooks	3	1	25.00%
Brown	365	7	1.88%
Burleson	100	37	27.01%
Burnet	689	53	7.14%
Caldwell	90	5	5,26%
Calhoun	30	1	3.23%
Callahan	101	31	23,48%
Cameron	260	28	9.72%
Camp	23	1	4.17%
Carson	31	1	3.13%
Cass	242	5	2.02%
Castro	23	0	0.00%
Chambers	105	17	13.93%
Cherokee	85	9	9.57%
Childress	25	0	0.00%
Clay	34	0	0.00%
Cochran	23	0	0.00%
Coke	72	2	2.70%
Coleman	35	0	0.00%

Collin	3200	449	12.30%
Collingsworth	15	0	0.00%
Colorado	49	16	24.62%
Comal	1511	326	17.75%
Comanche	77	8	9.41%
Concho	35	0	0.00%
Cooke	154	3	1.91%
Coryell	296	3	1,00%
Cottle	5	0	0.00%
Crane	21	0	0.00%
Crockett	9	0	0.00%
Crosby	26	0	0.00%
Culberson	0	0	0.00%
Dallam	51	0	0.00%
Dallas	2768	159	5.43%
Dawson	64	2	3.03%
Deaf Smith	116	2	1.69%
Delta	86	10	10.42%
Denton	2560	539	17.39%
Dewitt	94	0	0.00%
Dickens	34	0	0.00%
Dimmit	2	0	0.00%
Donley	14	0	0.00%
Duval	2	0	0,00%
Eastland	162	0	0.00%
Ector	386	11	2,77%
Edwards	5	4	44.44%
El Paso	178	35	16,43%
Ellis	260	29	10.03%
Erath	96	9	8,57%
Falls	67	0	0.00%
Fannin	154	4	2,53%
Fayette	161	2	1.23%
Fisher	17	0	0.00%
Floyd	32	4	11,11%
Foard	0	0	0.00%
Fort Bend	1320	185	12,29%
Franklin	56	0	0.00%
Freestone	66	4	5,71%
Frio	9	2	18,18%
Gaines	46	0	0.00%
Galveston	1812	248	12,04%
Garza	37	2	5,13%
Gillespie	348	9	2.52%

Glasscock	15	1	6.25%
Goliad	22	2	8.33%
Gonzales	84	6	6.67%
Gray	228	13	5.39%
Grayson	604	85	12.34%
Gregg	301	19	5.94%
Grimes	169	92	35.25%
Guadalupe	526	184	25.92%
Hale	96	10	9.43%
Hall	19	0	0.00%
Hamilton	24	0	0.00%
Hansford	69	0	0.00%
Hardeman	3	0	0.00%
Hardin	273	5	1.80%
Harris	12153	3100	20.32%
Harrison	54	14	20,59%
Hartley	44	2	4.35%
Haskell	12	0	0.00%
Hays	763	164	17.69%
Hemphill	56	0	0.00%
Henderson	238	11	4.42%
Hidalgo	179	31	14.76%
Hill	92	3	3.16%
Hockley	89	0	0.00%
Hood	275	41	12.97%
Hopkins	82	9	9,89%
Houston	74	3	3.90%
Howard	136	9	6,21%
Hudspeth	0	0	0.00%
Hunt	425	93	17,95%
Hutchinson	90	9	9.09%
Irion	6	0	0.00%
Jack	64	1	1.54%
Jackson	42	3	6.67%
Jasper	46	0	0.00%
Jeff Davis	14	0	0.00%
Jefferson	142	18	11.25%
Jim Hogg	1	0	0.00%
Jim Wells	7	2	22.22%
Johnson	771	110	12,49%
Jones	71	0	0.00%
Karnes	160	11	6.43%
Kaufman	146	50	25.51%
Kendall	649	9	1.37%

Kenedy	0	0	0.00%
Kent	0	0	0.00%
Kerr	636	76	10.67%
Kimble	57	3	5.00%
King	3	0	0.00%
Kinney	2	1	33.33%
Kleberg	32	0	0.00%
Knox	12	0	0.00%
Lamar	202	1	0.49%
Lamb	46	10	17.86%
Lampasas	174	16	8.42%
Lasalle	5	0	0.00%
Lavaca	188	87	31.64%
Lee	118	21	15.11%
Leon	152	0	0.00%
Liberty	231	9	3.75%
Limestone	102	12	10.53%
Lipscomb	72	0	0.00%
Live Oak	21	1	4.55%
Llano	470	77	14.08%
Loving	1	0	0.00%
Lubbock	685	6	0.87%
Lynn	2	0	0.00%
Madison	61	1	1.61%
Marion	12	3	20.00%
Martin	14	0	0.00%
Mason	38	0	0.00%
Matagorda	51	3	5,56%
Maverick	2	1	33.33%
Mcculloch	60	1	1,64%
Mclennan	1137	102	8.23%
Mcmullen	4	0	0,00%
Medina	232	36	13.43%
Menard	32	1	3,03%
Midland	493	70	12.43%
Milam	152	1	0.65%
Mills	39	0	0.00%
Mitchell	13	5	27.78%
Montague	73	4	5.19%
Montgomery	3272	232	6,62%
Moore	92	2	2.13%
Morris	43	0	0.00%
Motley	23	0	0.00%
Nacogdoches	464	7	1,49%

Navarro	55	8	12.70%
Newton	34	6	15.00%
Nolan	16	4	20.00%
Nueces	346	0	0.00%
Ochiltree	73	1	1.35%
Oldham	19	0	0.00%
Orange	212	10	4.50%
Palo Pinto	201	76	27.44%
Panola	110	4	3.51%
Parker	619	191	23.58%
Parmer	38	1	2.56%
Pecos	18	1	5,26%
Polk	332	25	7.00%
Potter	609	116	16,00%
Presidio	2	0	0.00%
Rains	70	0	0.00%
Randall	1454	114	7.27%
Reagan	11	2	15.38%
Real	2	0	0.00%
Red River	55	4	6.78%
Reeves	8	0	0.00%
Refugio	12	0	0.00%
Roberts	24	0	0.00%
Robertson	62	1	1.59%
Rockwall	453	63	12.21%
Runnels	31	7	18.42%
Rusk	203	38	15.77%
Sabine	64	0	0.00%
San Augustine	25	1	3.85%
San Jacinto	178	4	2.20%
San Patricio	122	7	5.43%
San Saba	22	0	0.00%
Schleicher	13	6	31.58%
Scurry	61	13	17.57%
Shackelford	46	0	0.00%
Shelby	141	12	7,84%
Sherman	11	7	38.89%
Smith	549	77	12.30%
Somervell	19	1	5.00%
Starr	25	12	32,43%
Stephens	90	3	3.23%
Sterling	4	0	0.00%
Stonewall	24	0	0.00%
Sutton	16	0	0.00%

Swisher	56	4	6,67%
Tarrant	5446	27	0.49%
Taylor	350	14	3.85%
Terrell	4	0	0.00%
Terry	62	1	1.59%
Throckmorton	14	0	0.00%
Titus	88	9	9.28%
Tom Green	433	73	14,43%
Travis	1915	260	11.95%
Trinity	30	0	0.00%
Tyler	196	7	3.45%
Upshur	155	0	0.00%
Upton	8	0	0.00%
Uvalde	25	0	0.00%
Val Verde	74	0	0.00%
Van Zandt	79	9	10,23%
Victoria	1221	109	8.20%
Walker	206	11	5.07%
Waller	61	26	29.89%
Ward	56	0	0.00%
Washington	148	8	5.13%
Webb	18	0	0.00%
Wharton	132	4	2,94%
Wheeler	35	0	0.00%
Wichita	180	26	12.62%
Wilbarger	105	0	0,00%
Willacy	2	1	33.33%
Williamson	1582	264	14,30%
Wilson	255	7	2.67%
Winkler	11	1	8,33%
Wise	358	45	11.17%
Wood	224	0	0.00%
Yoakum	22	0	0.00%
Young	4	0	0.00%
Zapata	3	0	0.00%
Zavala	0	0	0.00%
Statewide Totals	77420	10355	11.80%

County	Ballots by Mail Accepted	Ballots by Mail Rejected	% Rejected
Anderson	169	0	0.00%
Andrews	42	0	0.00%
Angelina	397	63	13.70%
Aransas	188	2	1.05%
Archer	50	0	0.00%
Armstrong	13	0	0.00%
Atascosa	221	11	4.74%
Austin	217	0	0.00%
Bailey	44	0	0.00%
Bandera	196	3	1.51%
Bastrop	853	19	2.18%
Baylor	13	0	0.00%
Bee	199	4	1.97%
Bell	1623	340	17.32%
Bexar	18361	231	1.24%
Blanco	167	6	3.47%
Borden	9	1	10.00%
Bosque	152	1	0.65%
Bowie	614	26	4.06%
Brazoria	2041	63	2.99%
Brazos	1058	36	3.29%
Brewster	127	0	0.00%
Briscoe	45	0	0.00%
Brooks	69	0	0.00%
Brown	373	0	0.00%
Burleson	204	3	1.45%
Burnet	802	15	1.84%
Caldwell	237	4	1,66%
Calhoun	100	3	2.91%
Callahan	153	0	0.00%
Cameron	1602	31	1.90%
Camp	84	0	0.00%
Carson	39	1	2.50%
Cass	354	0	0.00%
Castro	25	0	0.00%
Chambers	157	0	0.00%
Cherokee	216	19	8.09%
Childress	23	0	0.00%
Clay	56	0	0.00%
Cochran	50	3	5,66%
Coke	95	0	0.00%
Coleman	53	0	0.00%

Collin	5148	109	2.07%
Collingsworth	0	0	0.00%
Colorado	185	5	2,63%
Comal	2407	77	3.10%
Comanche	107	7	6.14%
Concho	48	0	0.00%
Cooke	210	0	0.00%
Coryell	436	4	0.91%
Cottle	11	0	0.00%
Crane	26	0	0.00%
Crockett	16	0	0.00%
Crosby	50	0	0.00%
Culberson	11	0	0.00%
Dallam	57	0	0.00%
Dallas	10649	382	3.46%
Dawson	99	0	0.00%
Deaf Smith	127	0	0.00%
Delta	101	0	0.00%
Denton	4964	155	3.03%
Dewitt	135	0	0.00%
Dickens	31	0	0.00%
Dimmit	109	8	6.84%
Donley	10	0	0.00%
Duval	161	1	0.62%
Eastland	217	0	0.00%
Ector	577	0	0.00%
Edwards	9	4	30.77%
El Paso	3582	490	12,03%
Ellis	754	28	3.58%
Erath	181	13	6,70%
Falls	33	0	0.00%
Fannin	267	0	0.00%
Fayette	286	5	1.72%
Fisher	39	0	0.00%
Floyd	29	7	19.44%
Foard	0	0	0.00%
Fort Bend	4368	101	2.26%
Franklin	68	0	0.00%
Freestone	112	3	2.61%
Frio	167	23	12.11%
Gaines	55	1	1,79%
Galveston	3177	66	2.04%
Garza	39	0	0.00%
Gillespie	520	10	1.89%

Glasscock	2	0	0.00%
Goliad	46	0	0.00%
Gonzales	134	0	0.00%
Gray	234	1	0.43%
Grayson	965	33	3.31%
Gregg	711	24	3.27%
Grimes	349	17	4.64%
Guadalupe	1370	32	2.28%
Hale	130	2	1.52%
Hall	35	0	0.00%
Hamilton	0	0	0.00%
Hansford	58	0	0.00%
Hardeman	0	0	0.00%
Hardin	363	1	0.27%
Harris	31306	3193	9.26%
Harrison	267	17	5,99%
Hartley	46	0	0.00%
Haskell	28	0	0.00%
Hays	2460	67	2.65%
Hemphill	31	0	0.00%
Henderson	455	28	5.80%
Hidalgo	2244	91	3,90%
Hill	169	0	0.00%
Hockley	103	0	0.00%
Hood	384	87	18.47%
Hopkins	176	8	4,35%
Houston	175	0	0.00%
Howard	273	4	1,44%
Hudspeth	0	0	0.00%
Hunt	689	12	1.71%
Hutchinson	129	0	0.00%
Irion	9	0	0.00%
Jack	75	0	0.00%
Jackson	74	0	0.00%
Jasper	145	0	0.00%
Jeff Davis	11	0	0.00%
Jefferson	1477	75	4.83%
Jim Hogg	90	0	0.00%
Jim Wells	110	33	23.08%
Johnson	1093	5	0.46%
Jones	104	0	0.00%
Karnes	220	4	1.79%
Kaufman	355	94	20.94%
Kendall	636	33	4,93%

Kenedy	1	0	0.00%
Kent	0	0	0.00%
Kerr	883	49	5.26%
Kimble	61	0	0.00%
King	0	0	0.00%
Kinney	0	0	0.00%
Kleberg	207	0	0.00%
Knox	22	0	0.00%
Lamar	272	10	3.55%
Lamb	56	0	0.00%
Lampasas	226	5	2.16%
Lasalle	71	11	13,41%
Lavaca	338	0	0.00%
Lee	156	5	3.11%
Leon	170	0	0.00%
Liberty	305	10	3.17%
Limestone	165	2	1.20%
Lipscomb	79	0	0.00%
Live Oak	45	1	2.17%
Llano	658	54	7.58%
Loving	0	0	0.00%
Lubbock	1585	77	4.63%
Lynn	2	0	0.00%
Madison	90	4	4.26%
Marion	82	3	3.53%
Martin	12	0	0.00%
Mason	36	0	0.00%
Matagorda	168	7	4,00%
Maverick	108	0	0.00%
Mcculloch	92	0	0.00%
Mclennan	1817	102	5,32%
Mcmullen	6	0	0.00%
Medina	422	23	5.17%
Menard	42	0	0.00%
Midland	634	24	3.65%
Milam	231	0	0.00%
Mills	49	0	0.00%
Mitchell	25	0	0.00%
Montague	82	0	0.00%
Montgomery	4492	34	0.75%
Moore	84	0	0.00%
Morris	80	0	0.00%
Motley	20	0	0.00%
Nacogdoches	594	12	1.98%

Navarro	122	22	15.28%
Newton	51	8	13.56%
Nolan	49	2	3,92%
Nueces	2167	2	0.09%
Ochiltree	64	5	7.25%
Oldham	18	0	0.00%
Orange	566	7	1.22%
Palo Pinto	358	2	0.56%
Panola	138	0	0.00%
Parker	1023	41	3,85%
Parmer	42	0	0.00%
Pecos	85	0	0.00%
Polk	452	16	3.42%
Potter	902	29	3,11%
Presidio	13	3	18.75%
Rains	104	1	0.95%
Randall	1674	54	3.13%
Reagan	14	0	0,00%
Real	0	0	0.00%
Red River	92	0	0.00%
Reeves	98	1	1.01%
Refugio	50	3	5.66%
Roberts	11	0	0.00%
Robertson	122	2	1,61%
Rockwall	576	14	2.37%
Runnels	42	3	6,67%
Rusk	339	2	0.59%
Sabine	75	0	0,00%
San Augustine	32	0	0.00%
San Jacinto	208	7	3,26%
San Patricio	418	24	5.43%
San Saba	28	0	0.00%
Schleicher	18	2	10.00%
Scurry	59	1	1.67%
Shackelford	55	0	0.00%
Shelby	104	29	21.80%
Sherman	21	4	16.00%
Smith	1259	85	6.32%
Somervell	32	0	0.00%
Starr	121	40	24.84%
Stephens	98	0	0.00%
Sterling	6	0	0.00%
Stonewall	11	0	0.00%
Sutton	17	0	0,00%

Swisher	90	0	0.00%
Tarrant	9106	1583	14.81%
Taylor	620	3	0.48%
Terrell	1	1	50.00%
Terry	67	1	1.47%
Throckmorton	12	0	0.00%
Titus	131	0	0.00%
Tom Green	885	72	7.52%
Travis	11158	410	3.54%
Trinity	55	1	1.79%
Tyler	222	5	2,20%
Upshur	233	0	0.00%
Upton	1	2	66.67%
Uvalde	169	0	0.00%
Val Verde	209	14	6.28%
Van Zandt	187	4	2.09%
Victoria	1686	42	2.43%
Walker	354	15	4.07%
Waller	250	2	0.79%
Ward	0	0	0.00%
Washington	253	6	2.32%
Webb	455	13	2.78%
Wharton	278	0	0.00%
Wheeler	40	0	0.00%
Wichita	579	0	0.00%
Wilbarger	159	0	0.00%
Willacy	44	0	0.00%
Williamson	4280	122	2.77%
Wilson	485	19	3.77%
Winkler	0	0	0.00%
Wise	520	13	2.44%
Wood	369	0	0.00%
Yoakum	23	0	0.00%
Young	0	0	0.00%
Zapata	20	5	20.00%
Zavala	111	0	0.00%
Statewide Totals	178054	9420	5.02%

County	Ballots by Mail Accepted	Ballots by Mail Rejected	% Rejected
Anderson	82	0	0.00%
Andrews	3	0	0.00%
Angelina	212	18	7.83%
Aransas	73	0	0.00%
Archer	16	0	0.00%
Armstrong	4	0	0.00%
Atascosa	163	9	5.23%
Austin	62	0	0.00%
Bailey	4	0	0.00%
Bandera	60	0	0.00%
Bastrop	453	9	1.95%
Baylor	4	0	0.00%
Bee	132	2	1.49%
Bell	624	49	7.28%
Bexar	11712	80	0.68%
Blanco	55	0	0.00%
Borden	0	0	0.00%
Bosque	50	0	0.00%
Bowie	265	20	7.02%
Brazoria	749	12	1.58%
Brazos	413	7	1.67%
Brewster	98	0	0.00%
Briscoe	0	0	0.00%
Brooks	60	0	0.00%
Brown	38	0	0.00%
Burleson	70	0	0.00%
Burnet	202	7	3.35%
Caldwell	134	1	0.74%
Calhoun	53	0	0.00%
Callahan	21	0	0.00%
Cameron	1323	21	1.56%
Camp	59	0	0.00%
Carson	5	0	0.00%
Cass	119	0	0.00%
Castro	10	0	0.00%
Chambers	48	1	2.04%
Cherokee	103	9	8.04%
Childress	2	0	0.00%
Clay	17	0	0.00%
Cochran	5	0	0.00%
Coke	8	2	20.00%
Coleman	5	0	0.00%

Collin	1969	20	1.01%
Collingsworth	0	0	0.00%
Colorado	90	0	0.00%
Comal	672	7	1.03%
Comanche	28	0	0.00%
Concho	0	0	0.00%
Cooke	59	0	0.00%
Coryell	113	1	0.88%
Cottle	4	0	0.00%
Crane	3	0	0.00%
Crockett	3	1	25.00%
Crosby	16	0	0.00%
Culberson	12	0	0.00%
Dallam	7	0	0,00%
Dallas	7274	243	3.23%
Dawson	13	1	7.14%
Deaf Smith	19	0	0.00%
Delta	23	0	0.00%
Denton	1916	36	1.84%
Dewitt	15	0	0.00%
Dickens	4	0	0.00%
Dimmit	191	25	11.57%
Donley	1	0	0.00%
Duval	435	69	13,69%
Eastland	47	0	0.00%
Ector	149	0	0.00%
Edwards	2	0	0.00%
El Paso	3797	264	6,50%
Ellis	357	4	1.11%
Erath	0	0	0.00%
Falls	53	0	0.00%
Fannin	94	4	4.08%
Fayette	119	1	0.83%
Fisher	29	0	0.00%
Floyd	9	0	0.00%
Foard	0	0	0.00%
Fort Bend	2719	139	4.86%
Franklin	17	0	0.00%
Freestone	40	1	2.44%
Frio	267	19	6.64%
Gaines	9	1	10.00%
Galveston	1232	29	2.30%
Garza	4	0	0.00%
Gillespie	159	6	3,64%

Glasscock	1	0	0.00%
Goliad	16	0	0.00%
Gonzales	42	0	0,00%
Gray	26	0	0.00%
Grayson	323	7	2.12%
Gregg	418	9	2.11%
Grimes	77	3	3,75%
Guadalupe	678	8	1.17%
Hale	23	2	8,00%
Hall	14	0	0.00%
Hamilton	0	0	0.00%
Hansford	1	0	0.00%
Hardeman	0	0	0.00%
Hardin	78	1	1.27%
Harris	17951	1125	5.90%
Harrison	182	19	9,45%
Hartley	3	0	0.00%
Haskell	12	0	0.00%
Hays	1448	33	2.23%
Hemphill	4	0	0.00%
Henderson	221	11	4.74%
Hidalgo	1902	117	5.79%
Hill	49	0	0.00%
Hockley	19	0	0.00%
Hood	134	14	9,46%
Hopkins	75	2	2,60%
Houston	87	3	3,33%
Howard	60	0	0,00%
Hudspeth	0	0	0.00%
Hunt	165	2	1,20%
Hutchinson	18	0	0.00%
Irion	0	0	0.00%
Jack	14	0	0.00%
Jackson	27	0	0.00%
Jasper	74	1	1.33%
Jeff Davis	4	0	0.00%
Jefferson	1425	64	4,30%
Jim Hogg	171	0	0.00%
Jim Wells	117	30	20,41%
Johnson	279	9	3,13%
Jones	40	0	0.00%
Karnes	91	0	0,00%
Kaufman	170	20	10.53%
Kendall	156	6	3,70%

Kenedy	6	0	0.00%
Kent	0	0	0.00%
Kerr	209	5	2.34%
Kimble	6	0	0.00%
King	0	0	0.00%
Kinney	0	0	0.00%
Kleberg	166	0	0.00%
Knox	4	0	0.00%
Lamar	110	4	3.51%
Lamb	28	0	0.00%
Lampasas	61	0	0.00%
Lasalle	145	27	15.70%
Lavaca	94	1	1.05%
Lee	43	2	4,44%
Leon	40	0	0.00%
Liberty	107	3	2.73%
Limestone	60	1	1.64%
Lipscomb	11	0	0.00%
Live Oak	0	0	0.00%
Llano	176	2	1.12%
Loving	0	0	0.00%
Lubbock	571	19	3.22%
Lynn	2	0	0.00%
Madison	20	0	0.00%
Marion	59	1	1.67%
Martin	2	0	0.00%
Mason	7	0	0.00%
Matagorda	107	1	0.93%
Maverick	101	4	3.81%
Mcculloch	23	1	4.17%
Mclennan	773	34	4.21%
Mcmullen	1	0	0.00%
Medina	147	14	8.70%
Menard	0	0	0.00%
Midland	150	1	0.66%
Milam	76	0	0.00%
Mills	7	0	0.00%
Mitchell	8	1	11.11%
Montague	19	0	0.00%
Montgomery	1306	5	0.38%
Moore	5	0	0.00%
Morris	0	0	0.00%
Motley	1	0	0.00%
Nacogdoches	230	3	1.29%

Navarro	75	6	7.41%
Newton	7	2	22.22%
Nolan	26	0	0.00%
Nueces	1628	3	0.18%
Ochiltree	1	0	0.00%
Oldham	0	0	0.00%
Orange	247	0	0.00%
Palo Pinto	52	0	0.00%
Panola	48	0	0.00%
Parker	301	9	2.90%
Parmer	8	0	0.00%
Pecos	46	6	11,54%
Polk	143	1	0.69%
Potter	233	7	2.92%
Presidio	6	4	40.00%
Rains	20	0	0.00%
Randall	281	6	2.09%
Reagan	0	0	0.00%
Real	0	0	0.00%
Red River	37	0	0.00%
Reeves	90	0	0.00%
Refugio	39	0	0.00%
Roberts	2	0	0.00%
Robertson	57	0	0.00%
Rockwall	162	1	0.61%
Runnels	14	0	0.00%
Rusk	126	0	0.00%
Sabine	23	0	0.00%
San Augustine	22	0	0.00%
San Jacinto	77	3	3.75%
San Patricio	286	6	2.05%
San Saba	4	0	0.00%
Schleicher	4	0	0.00%
Scurry	11	0	0.00%
Shackelford	0	0	0.00%
Shelby	31	0	0.00%
Sherman	1	0	0.00%
Smith	585	30	4.88%
Somervell	14	0	0.00%
Starr	73	24	24.74%
Stephens	9	0	0.00%
Sterling	0	0	0.00%
Stonewall	4	0	0.00%
Sutton	4	0	0.00%

Swisher	22	0	0.00%
Tarrant	4664	409	8.06%
Taylor	246	1	0.40%
Terrell	5	0	0.00%
Terry	16	0	0.00%
Throckmorton	0	0	0.00%
Titus	75	0	0.00%
Tom Green	318	22	6.47%
Travis	7849	193	2.40%
Trinity	20	0	0.00%
Tyler	19	0	0.00%
Upshur	99	4	3.88%
Upton	0	1	100.00%
Uvalde	156	9	5,45%
Val Verde	1	3	75.00%
Van Zandt	69	4	5.48%
Victoria	478	4	0.83%
Walker	153	8	4.97%
Waller	137	4	2.84%
Ward	0	0	0.00%
Washington	69	0	0.00%
Webb	750	33	4.21%
Wharton	144	5	3.36%
Wheeler	7	0	0,00%
Wichita	262	1	0.38%
Wilbarger	42	0	0.00%
Willacy	40	0	0.00%
Williamson	2100	42	1,96%
Wilson	246	4	1.60%
Winkler	0	0	0,00%
Wise	117	3	2.50%
Wood	93	0	0.00%
Yoakum	2	0	0.00%
Young	0	0	0.00%
Zapata	2	0	0.00%
Zavala	132	1	0.75%
Statewide Totals	94092	3592	3,68%

County	Ballots by Mail Accepted	Ballots by Mail Rejected	% Rejected
Anderson	79	0	0.00%
Andrews	38	0	0.00%
Angelina	190	27	12.44%
Aransas	80	5	5.88%
Archer	34	0	0.00%
Armstrong	20	0	0.00%
Atascosa	117	0	0.00%
Austin	136	1	0.73%
Bailey	25	0	0.00%
Bandera	147	2	1.34%
Bastrop	381	8	2.06%
Baylor	9	0	0.00%
Bee	54	0	0.00%
Bell	1092	98	8.24%
Bexar	5858	50	0.85%
Blanco	112	11	8.94%
Borden	3	0	0.00%
Bosque	99	0	0.00%
Bowie	286	15	4.98%
Brazoria	1307	50	3.68%
Brazos	713	44	5.81%
Brewster	35	0	0.00%
Briscoe	30	0	0.00%
Brooks	2	0	0.00%
Brown	391	1	0.26%
Burleson	129	1	0.77%
Burnet	626	19	2.95%
Caldwell	90	3	3.23%
Calhoun	27	0	0.00%
Callahan	141	5	3,42%
Cameron	290	7	2,36%
Camp	29	0	0.00%
Carson	33	0	0.00%
Cass	214	1	0.47%
Castro	24	0	0.00%
Chambers	88	2	2,22%
Cherokee	97	10	9,35%
Childress	20	0	0.00%
Clay	45	0	0.00%
Cochran	33	4	10.81%
Coke	65	1	1.52%
Coleman	42	0	0.00%

Collin	3368	49	1.43%
Collingsworth	0	0	0.00%
Colorado	83	7	7.78%
Comal	1842	35	1.86%
Comanche	88	1	1.12%
Concho	1	0	0.00%
Cooke	170	0	0.00%
Coryell	270	0	0.00%
Cottle	11	0	0.00%
Crane	15	0	0.00%
Crockett	12	0	0.00%
Crosby	32	0	0.00%
Culberson	0	0	0.00%
Dallam	48	0	0.00%
Dallas	3247	130	3.85%
Dawson	76	1	1.30%
Deaf Smith	102	0	0.00%
Delta	78	0	0.00%
Denton	3030	74	2.38%
Dewitt	69	0	0.00%
Dickens	32	0	0.00%
Dimmit	0	0	0.00%
Donley	10	0	0.00%
Duval	1	0	0.00%
Eastland	176	0	0.00%
Ector	396	0	0.00%
Edwards	8	0	0.00%
El Paso	284	23	7,49%
Ellis	333	4	1.19%
Erath	2	0	0.00%
Falls	68	0	0.00%
Fannin	131	13	9,03%
Fayette	189	1	0.53%
Fisher	11	0	0.00%
Floyd	32	1	3.03%
Foard	0	0	0.00%
Fort Bend	1481	70	4.51%
Franklin	41	0	0.00%
Freestone	68	1	1.45%
Frio	8	2	20,00%
Gaines	53	2	3.64%
Galveston	1714	42	2,39%
Garza	42	0	0.00%
Gillespie	348	10	2,79%

Glasscock	12	0	0.00%
Goliad	27	0	0.00%
Gonzales	80	0	0.00%
Gray	174	0	0.00%
Grayson	569	10	1,73%
Gregg	315	6	1.87%
Grimes	214	9	4.04%
Guadalupe	751	24	3,10%
Hale	106	2	1.85%
Hall	18	0	0.00%
Hamilton	0	0	0.00%
Hansford	57	0	0.00%
Hardeman	0	0	0.00%
Hardin	232	0	0.00%
Harris	13879	1169	7,77%
Harrison	65	4	5.80%
Hartley	40	0	0.00%
Haskell	11	0	0.00%
Hays	971	42	4.15%
Hemphill	48	2	4.00%
Henderson	229	17	6,91%
Hidalgo	180	3	1.64%
Hill	106	0	0.00%
Hockley	77	2	2,53%
Hood	275	46	14.33%
Hopkins	88	1	1,12%
Houston	87	3	3.33%
Howard	176	1	0.56%
Hudspeth	0	0	0.00%
Hunt	497	11	2,17%
Hutchinson	105	0	0.00%
Irion	6	0	0.00%
Jack	51	2	3.77%
Jackson	43	0	0.00%
Jasper	48	0	0.00%
Jeff Davis	14	0	0.00%
Jefferson	162	11	6.36%
Jim Hogg	0	0	0.00%
Jim Wells	9	0	0.00%
Johnson	796	14	1.73%
Jones	68	0	0.00%
Karnes	161	3	1,83%
Kaufman	156	55	26.07%
Kendall	599	20	3.23%

Kenedy	0	0	0.00%
Kent	0	0	0.00%
Kerr	679	26	3.69%
Kimble	64	0	0.00%
King	0	0	0.00%
Kinney	0	0	0.00%
Kleberg	34	0	0.00%
Knox	12	0	0.00%
Lamar	157	6	3.68%
Lamb	38	0	0.00%
Lampasas	187	4	2.09%
Lasalle	4	0	0.00%
Lavaca	237	0	0.00%
Lee	99	1	1,00%
Leon	147	0	0.00%
Liberty	200	2	0.99%
Limestone	109	1	0.91%
Lipscomb	60	0	0.00%
Live Oak	0	0	0.00%
Llano	473	29	5.78%
Loving	0	0	0.00%
Lubbock	938	40	4.09%
Lynn	4	0	0.00%
Madison	73	0	0.00%
Marion	16	0	0.00%
Martin	11	0	0.00%
Mason	26	0	0.00%
Matagorda	52	6	10,34%
Maverick	3	0	0.00%
Mcculloch	69	0	0.00%
Mclennan	1133	72	5.98%
Mcmullen	6	0	0.00%
Medina	240	12	4.76%
Menard	0	0	0.00%
Midland	523	12	2.24%
Milam	139	0	0.00%
Mills	45	0	0.00%
Mitchell	22	0	0.00%
Montague	72	0	0.00%
Montgomery	3035	39	1.27%
Moore	56	0	0.00%
Morris	0	0	0.00%
Motley	19	0	0.00%
Nacogdoches	389	9	2.26%

Navarro	69	4	5,48%
Newton	23	4	14,81%
Nolan	23	0	0.00%
Nueces	394	2	0.51%
Ochiltree	42	0	0.00%
Oldham	0	0	0.00%
Orange	254	1	0.39%
Palo Pinto	307	1	0.32%
Panola	102	0	0.00%
Parker	795	29	3,52%
Parmer	30	0	0.00%
Pecos	22	3	12,00%
Polk	268	20	6.94%
Potter	609	22	3,49%
Presidio	1	0	0.00%
Rains	77	0	0.00%
Randall	1376	17	1.22%
Reagan	14	1	6,67%
Real	0	0	0.00%
Red River	44	0	0.00%
Reeves	7	0	0.00%
Refugio	9	0	0.00%
Roberts	12	0	0.00%
Robertson	55	0	0.00%
Rockwall	444	6	1.33%
Runnels	32	1	3.03%
Rusk	240	2	0.83%
Sabine	50	0	0.00%
San Augustine	14	0	0.00%
San Jacinto	147	1	0.68%
San Patricio	117	0	0.00%
San Saba	18	0	0.00%
Schleicher	18	2	10.00%
Scurry	55	1	1.79%
Shackelford	46	0	0.00%
Shelby	83	0	0.00%
Sherman	16	3	15.79%
Smith	635	51	7.43%
Somervell	23	1	4.17%
Starr	4	0	0.00%
Stephens	93	0	0.00%
Sterling	0	0	0.00%
Stonewall	9	0	0.00%
Sutton	12	0	0,00%

Swisher	54	0	0.00%
Tarrant	4873	689	12,39%
Taylor	401	2	0.50%
Terrell	11	0	0.00%
Terry	61	0	0.00%
Throckmorton	12	0	0.00%
Titus	92	0	0.00%
Tom Green	566	24	4.07%
Travis	2164	90	3.99%
Trinity	23	0	0.00%
Tyler	184	6	3.16%
Upshur	142	4	2,74%
Upton	0	1	100.00%
Uvalde	23	0	0.00%
Val Verde	0	1	100.00%
Van Zandt	92	5	5.15%
Victoria	1152	16	1.37%
Walker	222	7	3.06%
Waller	110	0	0.00%
Ward	0	0	0.00%
Washington	168	0	0.00%
Webb	17	0	0.00%
Wharton	129	0	0.00%
Wheeler	40	0	0.00%
Wichita	201	3	1.47%
Wilbarger	101	0	0.00%
Willacy	3	0	0.00%
Williamson	1807	63	3,37%
Wilson	251	8	3.09%
Winkler	1	0	0,00%
Wise	340	14	3,95%
Wood	0	0	0.00%
Yoakum	20	0	0.00%
Young	0	0	0.00%
Zapata	1	0	0.00%
Zavala	0	0	0.00%
Statewide Totals	81924	3652	4.27%

County	Ballots by Mail	•	
•	Accepted	Rejected	% Rejected
Anderson Andrews	370	0	0.00%
	62 854	0 35	0.00% 3.94%
Angelina Aransas	391	11	2.74%
Archer	89	0	0.00%
Armstrong	37	1	2.63%
Atascosa	464	10	2.11%
Austin	367	4	1.08%
Bailey	61	1	1.61%
Bandera	368	8	2.13%
Bastrop	1363	8	0.58%
Baylor	28	0	0.00%
Bee	386	4	1.03%
Bell	3593	209	5,50%
Bexar	30401	361	1.17%
Blanco	271	6	2.17%
Borden	15	1	6.25%
Bosque	250	2	0.79%
Bowie	1097	37	3.26%
Brazoria	3802	60	1.55%
Brazos	2221	64	2.80%
Brewster	219	0	0.00%
Briscoe	65	0	0.00%
Brooks	144	2	1.37%
Brown	610	2	0.33%
Burleson	299	8	2.61%
Burnet	1422	32	2.20%
Caldwell	450	17	3.64%
Calhoun	213	1	0.47%
Callahan	203	10	4.69%
Cameron	3156	43	1.34%
Camp Carson	165 58	0 1	0.00% 1.69%
Cass	572	0	0.00%
Castro	62	0	0.00%
Chambers	261	0	0.00%
Cherokee	439	20	4.36%
Childress	46	0	0.00%
Clay	100	1	0.99%
Cochran	55	0	0.00%
Coke	128	1	0.78%
Coleman	113	2	1.74%
Collin	11943	112	0.93%
Collingsworth	1	0	0,00%
Colorado	314	14	4.27%

Comal	3763	75	1.95%
Comanche	190	3	1.55%
Concho	65	3	4.41%
Cooke	407	0	0.00%
Coryell	720	0	0.00%
Cottle	18	0	0.00%
Crane	35	1	2.78%
Crockett	4	0	0.00%
Crosby	92	0	0,00%
Culberson	18	0	0,00%
Dallam	74	0	0.00%
Dallas	18714	336	1.76%
Dawson	150	1	0.66%
Deaf Smith	201	0	0.00%
Delta	144	0	0.00%
Denton	10199	172	1.66%
Dewitt	228	3	1,30%
Dickens	34	0	0.00%
Dimmit	203	0	0.00%
Donley	0	1	100,00%
Duval	403	101	20.04%
Eastland	356	1	0.28%
Ector	873	62	6,63%
Edwards	23	1	4.17%
El Paso	4036	559	12.17%
Ellis	1540	69	4.29%
Erath	370	12	3.14%
Falls	181	0	0.00%
Fannin	532	11	2.03%
Fayette	470	7	1.47%
Fisher	68	0	0.00%
Floyd	65	0	0.00%
Foard	6	0	0.00%
Fort Bend	9831	524	5.06%
Franklin	113	0	0.00%
Freestone	192	1	0.52%
Frio	357	3	0.83%
Gaines	73	0	0.00%
Galveston	5270	98	1.83%
Garza	48	0	0.00%
Gillespie	802	8	0.99%
Glasscock	23	0	0.00%
Goliad	95	6	5.94%
Gonzales	262	1	0.38%
Gray	353	1	0.28%
Grayson	1821	32	1.73%
Gregg	1519	19	1.24%

Grimes	517	32	5.83%
Guadalupe	2502	80	3.10%
Hale	210	0	0.00%
Hall	0	0	0.00%
Hamilton	98	3	2.97%
Hansford	21	0	0.00%
Hardeman	8	0	0.00%
Hardin	580	8	1.36%
Harris	59708	2791	4.47%
Harrison	539	27	4.77%
Hartley	71	1	1.39%
Haskell	62	0	0.00%
Hays	4527	196	4.15%
Hemphill	70	0	0.00%
Henderson	1016	17	1.65%
Hidalgo	4920	98	1.95%
Hill	331	0	0.00%
Hockley	178	0	0.00%
Hood	1098	92	7.73%
Hopkins	285	5	1.72%
Houston	311	0	0.00%
Howard	350	12	3.31%
Hudspeth	0	0	0.00%
Hunt	1164	28	2.35%
Hutchinson	211	1	0.47%
Irion	16	0	0.00%
Jack	127	0	0.00%
Jackson	143	12	7.74%
Jasper	309	1	0.32%
Jeff Davis	32	1	3.03%
Jefferson	2841	158	5.27%
Jim Hogg	249	0	0.00%
Jim Wells	436	83	15,99%
Johnson	1920	0	0.00%
Jones	223	0	0.00%
Karnes	320	10	3.03%
Kaufman	811	33	3.91%
Kendall	1201	32	2.60%
Kenedy	8	0	0.00%
Kent	4	0	0.00%
Kerr	1436	10	0.69%
Kimble	97	1	1.02%
King	3	0	0.00%
Kinney	0	0	0.00%
Kleberg	405	2	0.49%
Knox	36 554	0 8	0.00%
Lamar	554	8	1.42%

Lamb	160	0	0.00%
Lampasas	382	13	3.29%
Lasalle	162	2	1.22%
Lavaca	507	0	0.00%
Lee	245	11	4,30%
Leon	294	1	0.34%
Liberty	510	10	1.92%
Limestone	300	1	0.33%
Lipscomb	100	2	1.96%
Live Oak	129	4	3.01%
Llano	191	10	4.98%
Loving	0	0	0.00%
Lubbock	2656	78	2.85%
Lynn	1	0	0.00%
Madison	152	3	1.94%
Marion	165	14	7.82%
Martin	29	0	0.00%
Mason	73	0	0.00%
Matagorda	346	14	3,89%
Maverick	222	14	5.93%
Mcculloch	0	0	0.00%
Mclennan Mcmullen	3760	121	3.12%
Medina	12 696	1 28	7,69%
Menard	56	28 0	3.87% 0.00%
Midland	407	20	4,68%
Milam	372	20	0.53%
Mills	74	7	8.64%
Mitchell	51	0	0.00%
Montague	200	2	0.99%
Montgomery	8943	43	0.48%
Moore	126	0	0.00%
Morris	132	10	7.04%
Motley	34	0	0.00%
Nacogdoches	968	9	0.92%
Navarro	314	19	5.71%
Newton	100	9	8.26%
Nolan	119	0	0.00%
Nueces	6784	2	0.03%
Ochiltree	99	0	0.00%
Oldham	35	1	2.78%
Orange	910	18	1.94%
Palo Pinto	487	11	2.21%
Panola	247	1	0,40%
Parker	1837	22	1.18%
Parmer	58	0	0.00%
Pecos	159	5	3.05%

Polk	2643	45	1.67%
Potter	1356	54	3.83%
Presidio	69	4	5.48%
Rains	174	0	0.00%
Randall	2559	33	1.27%
Reagan	16	0	0.00%
Real	54	0	0.00%
Red River	157	0	0.00%
Reeves	146	1	0.68%
Refugio	95	0	0.00%
Roberts	24	0	0.00%
Robertson	207	6	2.82%
Rockwall	1186	19	1.58%
Runnels	120	0	0.00%
Rusk	634	3	0.47%
Sabine	165	1	0.60%
San Augustine	87	1	1.14%
San Jacinto	421	1	0.24%
San Patricio	842	10	1.17%
San Saba	50	0	0.00%
Schleicher	69	0	0.00%
Scurry	125	4	3.10%
Shackelford	92	0	0.00%
Shelby	252	14	5.26%
Sherman	25	0	0.00%
Smith	2637	72	2.66%
Somervell	69	1	1.43%
Starr	449	157	25.91%
Stephens	133	2	1.48%
Sterling	7	0	0.00%
Stonewall	34	0	0.00%
Sutton	33	0	0.00%
Swisher	124	1	0.80%
Tarrant	21751	558	2.50%
Taylor	1333	35	2.56%
Terrell	0	0	0.00%
Terry	108	1	0.92%
Throckmorton	24	1	4.00%
Titus	243	6	2.41%
Tom Green	1653	62	3.62%
Travis	19993	473	2.31%
Trinity	128	0	0.00%
Tyler	319	4	1.24%
Upshur	450	5	1.10%
Upton	27	0	0.00%
Uvalde Val Varda	395	20	4.82%
Val Verde	0	0	0.00%

Van Zandt	448	16	3,45%
Victoria	2355	11	0.46%
Walker	682	4	0.58%
Waller	485	1	0.21%
Ward	121	0	0.00%
Washington	488	5	1.01%
Webb	1064	23	2.12%
Wharton	501	3	0.60%
Wheeler	77	0	0.00%
Wichita	1232	10	0.81%
Wilbarger	229	0	0.00%
Willacy	127	12	8.63%
Williamson	8273	184	2.18%
Wilson	840	9	1.06%
Winkler	42	0	0.00%
Wise	847	20	2.31%
Wood	757	0	0.00%
Yoakum	35	5	12.50%
Young	0	0	0.00%
Zapata	81	0	0.00%
Zavala	166	2	1.19%
Statewide Totals	336349	9348	2.70%

Exhibit 66



ELECTION ADMINISTRATION AND VOTING SURVEY 2020 COMPREHENSIVE REPORT

A REPORT FROM THE
U.S. ELECTION ASSISTANCE COMMISSION
TO THE 117TH CONGRESS

Executive Summary

Since 2004, the U.S. Election Assistance Commission (EAC) has conducted the Election Administration and Voting Survey (EAVS) following each federal general election. The EAVS asks all 50 U.S. states, the District of Columbia, and five U.S. territories—American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands—to provide data about the ways Americans vote and how elections are administered. Since 2008, this project has included a separate survey, the Election Administration Policy Survey (Policy Survey), that collects information about state election laws, policies, and practices.

The EAVS provides the most comprehensive source of state and local jurisdiction-level data about election administration in the United States. These data play a vital role in helping election officials, policymakers, and other election stakeholders identify trends, anticipate and respond to changing voter needs, invest resources to improve election administration and the voter experience, and better secure U.S. elections infrastructure. The EAVS data make it possible to examine the details of the U.S. election infrastructure and to produce a generalizable understanding of core aspects of the election process and the management challenges faced by election officials. The survey provides policymakers and the public with critical information every two years about how federal elections are conducted, and it helps the EAC fulfill its congressionally mandated reporting requirements. The EAVS is also invaluable to election officials who use the data to manage election oversight, conduct issue analysis and strategic planning, and create training and promotional materials. The EAC also uses EAVS data to create clearinghouse resources to advance the agency's mission and to better support election officials and voters as well as to inform lawmakers and national-level stakeholders about the impact of federal voting laws and the changing landscape of U.S. elections.

The 2020 general election was heavily affected by the COVID-19 pandemic. The pandemic and the ensuing public health emergency necessitated a variety of changes to existing election practices to accommodate social distancing and to slow the spread of the virus among voters, poll workers, and election officials and staff. In response, many states took action to expand the availability of inperson voting before Election Day and mail voting. Because of its status as the most comprehensive survey of election administration in the United States, the 2020 EAVS serves as a record of the extraordinary efforts by the nation's election officials and poll workers to ensure that the 2020 general election was conducted in a safe and secure manner. To this end, the EAC is pleased to present to the 117th Congress its report on the 2020 EAVS.

This report describes in detail how the 2020 federal general election was administered and how voters cast their ballots. Data from the EAVS and the accompanying Election Administration Policy Survey (Policy Survey) are used to provide an overview of each of the following aspects of the election process:

• Turnout, voting methods, polling places, poll workers, and election technology are covered in Chapter 1, "Overview of Election Administration and Voting in the 2020 General Election";



- Key laws, rules, policies, and procedures that govern U.S. elections are covered in Chapter 2, "Election Law and Procedure: The Policy Survey";
- Voter registration and list maintenance are covered in Chapter 3, "Voter Registration: The NVRA and Beyond";
- Voting by individuals covered under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) is described in Chapter 4, "Military and Overseas Voting in 2020: UOCAVA"; and
- Finally, the methodology of the EAVS and a description of the survey questions are discussed in Chapter 5, "Survey Methodology and Procedures."

Voting and Election Administration Findings

The 2020 EAVS confirms that the 2020 general election saw the highest turnout of any federal general election recorded by the EAVS to date, with 67.7% of the citizen voting age population (CVAP) casting ballots that were counted, an increase of 6.7 percentage points from 2016 levels. Nearly every state saw an increase in turnout compared to the 2016 EAVS. Furthermore, more than 209 million people were active registered voters for the 2020 general election, which represents an all-time high, and more than 161 million voters cast ballots that were counted for this election.

This election also saw sweeping changes in how voters cast their ballots. In the 2016 EAVS, 54.5% of voters cast their ballots in person on Election Day, and in the 2018 EAVS, 58.2% of voters did so. In 2020, only 30.5% of voters cast their ballots in person on Election Day. The percentage of the electorate that voted a mailed ballot increased to 43.1% of the electorate, nearly a 20-percentage-point increase from 2016 levels. Jurisdiction-level analysis shows that the largest increases in mail voting rates occurred in jurisdictions in states that newly instituted all-mail elections in 2020 and in jurisdictions in states that removed requirements to provide an excuse to request a mailed ballot. Although the total number of mailed ballots transmitted in 2020 was more than double the number transmitted in 2016, the percentages of mailed ballots that were returned by voters, that were counted, and that were rejected did not change significantly at the national level.

States reported a total of 132,556 polling places at which 775,101 poll workers assisted voters with in-person early and Election Day voting. The data also show a shift in the age distribution of poll workers, with the percentage of poll workers ages 18 to 25 and 26 to 40 increasing to 6.2% and 15.0%, respectively, and the percentage of poll workers ages 61 to 70 and 71 and older decreasing, to 27.3% and 20.1%, respectively. Jurisdictions also reported that poll worker recruitment was less difficult in 2020 than it was in 2016. In survey comments, many jurisdictions cited cross-cutting effects on their recruitment efforts. Jurisdictions reported that the COVID-19 pandemic made it difficult to retain long-time, older poll workers and caused last-minute poll worker shortages, but the efforts of the EAC, state election offices, and other organizations to encourage qualified individuals to serve as poll workers were cited as helping contribute to an oversupply of poll workers in some areas.

States reported that the use of electronic poll books (or e-poll books) increased since the 2018 EAVS, and 17 states used e-poll books in all of their jurisdictions. Scanners and ballot marking devices (BMD) continued to be the most common types of voting equipment used, and the use of

direct-recording electronic (DRE) machines that were not equipped with a voter-verified paper audit trail (DRE without VVPAT) also continued to decline. In 2020, only 32 jurisdictions across the country relied solely on voting machines with no paper backup.

Election Administration Policy Survey Findings

To provide context to the data that states report in the EAVS, the EAC collects information about states' election policies. Two-thirds of states reported having top-down registration systems hosted on a single, central platform or mainframe that is maintained by the state with information supplied by local jurisdictions; the remaining one-third of states reported having bottom-up or hybrid databases. To keep their voter registration rolls accurate and up to date, most states reported sharing information with motor vehicle agencies, government entities that maintain death records, and agencies that maintain felony or prison records. The percentage of states offering both sameday registration (51.8%) and online registration (80.4%) increased since the 2018 Policy Survey.

The Policy Survey also recorded an increase in state policies that make it safer for voters to cast a ballot or to reduce potential lines and crowds at in-person polling places. In 2020, a total of 14 states reported having all-mail elections, in which all registered voters or all active registered voters were automatically sent a mailed ballot—10 of these states conducted all-mail elections statewide, whereas four of the states did so only in select jurisdictions. This was an increase from the 2018 Policy Survey, which found that three states administered their elections entirely by mail and four states had all-mail elections in select local jurisdictions. In addition, 69.6% of states did not require voters to provide an excuse to be able to vote a mailed ballot (seven states had removed the excuse requirement since the 2018 Policy Survey), and 51.8% of states reported that there were some circumstances under which voters could receive ballots electronically. However, the Policy Survey did not collect information on whether policy changes made for the 2020 general election were permanent or temporary, or whether the changes were made in direct response to the COVID-19 pandemic.

Nearly all states reported that voting systems must be tested and certified before approval, with the most common certification requirements being testing by an EAC-accredited voting system test laboratory (VSTL), certification according to the EAC-adopted Voluntary Voting System Guidelines (VVSG), and both state and federal certification. In 2020, of the 40 states that reported using e-poll books, 55% required testing and certification to the state's specifications before purchasing the e-poll books.

In the post-election period, 78.6% of states reported that they required a tabulation audit to verify the voting equipment used to count ballots worked properly. Of these states, about three-quarters required a traditional tabulation audit (which examines a sample of ballots from a fixed percentage of randomly selected voting districts or voting machines), whereas about one-fifth of the states required a risk-limiting tabulation audit (in which statistical methods are used to select the audit sample size). All states reported having a mechanism for conducting election recounts, although the circumstances under which a recount would be conducted varied by state.



The National Voter Registration Act (NVRA) Findings

The 2020 EAVS data show the active voter registration rate for the 2020 general election was 88.2% of the CVAP, which represents an increase of 3.5 percentage points since the 2016 EAVS. More than 103 million voter registration applications were submitted between the close of registration for the 2018 general election and the close of registration for the 2020 general election, which represents a 33.8% increase in the number of registration applications received in the period leading up to the 2016 general election. Of the registration applications received, the most common outcome was an update to the voter's existing registration record that did not involve a cross-jurisdiction change of address. This type of update accounted for nearly half of the registration applications received. New and valid registrations that resulted in the creation of a new voter registration record within the jurisdiction accounted for nearly one-third of the applications received.

As with previous iterations of the EAVS, state motor vehicle departments accounted for the largest share of these registration applications (39.3%). The second-most common source of these applications was online registration, which accounted for 28.2% of applications. Online registration also saw the fastest growth of any registration source tracked by the EAVS.

The 29 states and territories that allow same-day voter registration (SDR) reported receiving more than 1.6 million SDRs during the voting period for the 2020 general election, approximately double the number received during the 2018 EAVS. SDR allows individuals to register to vote on the same day that they cast their ballot for an election. Nationwide, more SDRs were received on Election Day than were received during early voting.

Pursuant to the NVRA requirements, states reported sending more than 28 million confirmation notices and removing more than 18 million voter registration records from their voter registration rolls between the close of registration for the 2018 general election and the close of registration for the 2020 general election. The most common reasons cited for removing voter registration records were failure to respond to a confirmation notice and to vote in the two most recent federal general elections, moving from the jurisdiction in which the voter was registered to vote, and the voter's death.

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) **Findings**

States reported transmitting more than 1.2 million ballots to UOCAVA voters—a population that includes members of the uniformed services absent from their voting residence, their eligible family members, and U.S. citizens living overseas who receive special protections under the federal UOCAVA law. Of those transmitted ballots, more than 900,000 were returned by voters and nearly 890,000 were counted in the election.

Continuing a trend that began with the 2016 EAVS, in 2020, overseas citizens made up a larger proportion of the UOCAVA population than did uniformed services members and their eligible family members. In 2020, overseas citizens accounted for 57.4% of registered UOCAVA voters, and

uniformed services members accounted for 42.3%. Three states—California, Florida, and Washington—accounted for slightly more than 40% of all the registered UOCAVA voters reported nationwide.

Among uniformed services voters, postal mail transmission was the most common method reported (accounting for nearly half of the ballots transmitted to uniformed services voters), whereas overseas citizens more commonly received their ballots through email (accounting for 70.9% of ballots transmitted to overseas citizens).

Nearly 98% of UOCAVA ballots returned by voters were reported as counted, with just over 2% of returned ballots reported as rejected. Nationwide, more than 33,000 Federal Write-In Absentee Ballots (FWAB) were reported as received. This form may be submitted by UOCAVA voters as an emergency backup ballot in case their official ballot is not received by local election officials in time to be counted. The FWAB allowed nearly 24,000 UOCAVA voters to have their votes counted in the 2020 general election.



This report by the U.S. Election Assistance Commission is the result of a contract to collect and analyze data for the 2020 Election Administration and Voting Survey. The contract was performed by Fors Marsh Group LLC, an applied research company based in Arlington, VA.

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Chapter 1. Overview of Election Administration and Voting in the 2020 General Election

Key Findings

The 2020 Election Administration and Voting Survey (EAVS) collected data on ballots cast, voter registration, overseas and military voting, voting technology, and other important issues related to voting and election administration. The 2020 general election was especially impacted by the COVID-19 pandemic, which caused drastic changes to how the election was administered and how voters cast their ballots. Notable findings from the 2020 EAVS include:

- More than 209 million people were active registered voters for the 2020 general election, an all-time high for the EAVS.
- Voter turnout for the 2020 general election reached the highest level documented in any EAVS thus far, at 67.7% of the citizen voting age population (CVAP). Turnout increased 6.7 percentage points from 2016 levels, and nearly all states reported an increase in turnout.
 More than 161 million voters cast ballots that were counted for the 2020 election.
- For the first time, a majority of voters cast their ballots before Election Day. Slightly more than 43% of voters participated with a mailed ballot, and 30.6% of ballots were cast through inperson voting before Election Day. Ballots cast on Election Day at a physical polling place comprised 30.5% of the turnout for the 2020 general election.
- The number of mailed ballots transmitted to voters more than doubled from 2016 to 2020, and the percentage of mailed ballots that were returned by voters, that were counted, and that were rejected held steady with 2016 levels.
- The COVID-19 pandemic appears to have been associated with a change in both poll worker
 recruitment and the resulting age distribution of the poll worker workforce. States reported
 that the ages of their poll workers skewed younger during the 2020 general election compared
 to during the 2016 general election. However, states and jurisdictions reported that recruiting
 poll workers for this election was slightly easier due to national and state efforts that
 encouraged voters to serve as poll workers.
- The most common types of election equipment that were used were paper ballot scanners and ballot marking devices (BMD). The use of direct-recording electronic machines that were not equipped with a voter-verified paper audit trail (DRE without VVPAT) continued to decline among jurisdictions since the 2018 general election, and the use of electronic poll books (e-poll books) continued to increase. More than 30% of jurisdictions reported using e-poll books (an increase of more than 5 percentage points from 2018), and 17 states reported that all jurisdictions used e-poll books.



Election Administration in the United States

The United States is notable for having a largely decentralized system for administering federal elections. Local jurisdictions have the primary responsibility of administering state and federal elections and of tabulating, reporting, and certifying results. The U.S. Constitution and various federal laws govern specific aspects of federal elections, and a small number of federal agencies—such as the U.S. Election Assistance Commission (EAC) and the Federal Voting Assistance Program (FVAP)—play a supportive role in election administration. Broad legal and procedural authority rests with the states,¹ territories, the District of Columbia, and local jurisdictions. As a result, a wide variation exists among and within state election policies and practices, and the policies and practices are constantly evolving. Nevertheless, U.S. elections generally follow a standard process. As shown in Figure 1, the election process can be viewed as a cycle.

- 1. The legal and procedural framework for elections is generally established in advance of a general election. This framework includes determining voter eligibility rules; how, when, and where voters may cast their ballots; and what technology will be used to support elections. Supported by state election offices, most of these policies and procedures are implemented by election officials at the local level (e.g., county, township, municipality).
- 2. To participate in elections, eligible citizens typically must register to vote, pursuant to the eligibility rules established by federal law and by their state. 2 In many states, voters must register in advance of a set registration deadline; in others, eligible individuals may register and cast a ballot on the same day, whether during an early voting period or on Election Day. Depending on state policy, eligible citizens may have multiple avenues for submitting their registration applications, including by mail, fax, or email; online registration websites; in person at an election office, at a motor vehicle office, at other state government agency offices, or at an armed forces recruitment office; or through a registration drive. States are also required to periodically examine their voter registration rolls and remove the records of voters who are no longer eligible, for instance, because the voter no longer resides in the state or jurisdiction in which they are registered, the voter has failed to respond to a notice sent to them by mail and has not voted in the two most recent federal general elections, the voter is deceased, or the voter has received a criminal conviction that disqualifies them from voting. The voter may also directly inform the election office of a change in residency, which begins the process of designating a voter as inactive and ultimately removing them from the voter registration roll. The process of updating voter registration rolls and removing ineligible voters is referred to as list maintenance.
- 3. When a federal general election is approaching, voting begins well in advance of Election Day for many voters, including eligible military voters and overseas citizens who are absent from their voting residence, for whom the right to participate in federal elections is protected under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). In addition, all

¹ Throughout this report, unless otherwise specified, the term "state" can be understood to apply to the 50 U.S. states, the District of Columbia, and five U.S. territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) that submit Election Administration Policy Survey and EAVS data.

² North Dakota is the only state that does not require citizens to register before casting a ballot in an election.

states provide avenues for voters to cast ballots before Election Day. This may include voting a mailed ballot, casting a ballot in person at a dedicated early voting site, or receiving and casting a ballot at an election office. Some states allow any eligible voter to cast their ballot before Election Day, whereas others restrict early voting and mail voting only to certain segments of the population, such as voters who are absent from their home jurisdiction on Election Day, voters with illnesses or disabilities, voters over a certain age, or voters who provide a statutorily valid excuse. The voting options that are available to voters and the timelines for mail voting and in-person early voting vary by state and by local jurisdiction.

6. Final Results. 1. Laws, Rules, **Election** Policies, and Certification, **Procedures** and Auditing **ELECTION** 5. Ballot 2. Voter **PROCESS Tabulation** Registration 3. In-Person 4. Election Day **Early Voting and Voting Mail Voting**

Figure 1. The U.S. Election Process

4. Voters who do not cast ballots beforehand may vote on Election Day at in-person voting sites staffed by poll workers. In most states, individuals whose eligibility cannot be verified at the



time of voting may cast a provisional ballot. Election officials then investigate the eligibility of individuals who cast provisional ballots to determine whether their ballots should be counted, either in full or in part, or rejected.

- 5. After the polls close on Election Day, the process of counting ballots to determine the final election results begins. This may also be referred to as tabulation or canvassing. State policies vary on when counting may begin—some states may begin pre-processing mailed ballots (e.g., opening envelopes, verifying the mail voter's eligibility to cast a ballot, removing ballots from secrecy envelopes to prepare them for counting) before Election Day, whereas other states require that in-person polls must be closed before any ballots can be counted. Depending on state law and on what equipment is used to process the ballots, ballot counting may take several days to complete.
- 6. Once the unofficial results of the election are known, state and local election officials review the results for accuracy and certify them as final. After this is complete, many states conduct audits of their election results and voting equipment to ensure that the established election procedures were followed and that the equipment functioned correctly. Certain election races may also be recounted if the margin of victory is close; if a candidate, party, or other authorized group requests a recount; or if a court orders a recount to be conducted.

The election process can be viewed as a cycle in the sense that the experiences from previous elections are used to inform decision-making for the legal and procedural framework for subsequent elections. Often, the successful approaches and innovations implemented in one state or local jurisdiction during an election are adopted by other states or localities in subsequent elections.

The COVID-19 pandemic was declared in March 2020 and impacted nearly all aspects of the 2020 voting process, from dates and deadlines to how voters were able to register to vote, options to cast a ballot, and how long it took to count the ballots. In some cases, certain state policies, such as those concerning mail and absentee voting, were expanded temporarily for the 2020 election cycle to address the COVID-19 restrictions.³ Throughout the election, state and local election administrators, staff, and poll workers worked heroically to ensure voters were able to exercise their right to vote in a safe and secure manner.

The Election Administration and Voting Survey (EAVS)

Since 2004, the EAC has conducted the EAVS following each federal general election.⁴ The EAVS asks all 50 U.S. states, the District of Columbia, and the five U.S. territories—American Samoa,

³ The 2020 Policy Survey and EAVS did not collect information on when a policy change was made, why it was made, or whether the change was temporary or permanent.

⁴ The EAVS does not collect data on primary elections, run-off elections, or special elections. The data provided by states were only for the November 3, 2020, federal general election.

Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands⁵—to provide data about the ways in which Americans vote and how elections are administered.

The EAVS provides the most comprehensive source of state and local jurisdiction-level data about election administration in the United States. These data play a vital role in helping election officials, policymakers, and other election stakeholders identify trends, anticipate and respond to changing voter needs, invest resources to improve election administration and the voter experience, and better secure U.S. elections infrastructure. The EAVS data make it possible to examine the details of the U.S. elections infrastructure and to produce a generalizable understanding of the core aspects of the election process and the management challenges faced by election officials. The survey provides policymakers and the public with critical information every two years about how federal elections are conducted, and it helps the EAC fulfill its congressionally mandated reporting requirements. The EAVS is also invaluable to election officials themselves. These officials use the EAVS to manage election oversight, conduct issue analysis and strategic planning, and create training and promotional materials.

The EAC also uses the EAVS data to create research and clearinghouse resources to advance the agency's mission and to better support election officials and voters as well as to inform lawmakers and national-level stakeholders about the impact of federal voting laws and the changing landscape of U.S. elections. The EAVS helps the EAC meet its mandate under the Help America Vote Act (HAVA) to serve as a national clearinghouse and resource for the compilation of information and to review procedures with respect to the administration of federal elections. The EAVS sections related to voter registration and UOCAVA voting allow states to satisfy their data reporting requirements established, respectively, by the National Voter Registration Act (NVRA) and UOCAVA. The EAVS also helps FVAP fulfill its obligations under UOCAVA to reduce obstacles to ensure military and overseas voting success by collecting data about how UOCAVA voters participate in elections.

The EAVS data collection effort consists of two separately administered surveys: the Policy Survey and the EAVS. The Policy Survey, which is due in advance of each federal general election, collects data on state election policies and procedures to provide context for the quantitative data included in each state's EAVS submission. The EAVS, which is due after each federal general election is complete, collects data on voter registration, UOCAVA voters, mail voting, in-person voting and polling operations, provisional ballots, voter participation, and election technology. Complete details about the methodology of the 2020 Policy Survey and the EAVS, including an outline of the survey questionnaires, the data collection templates, the data validation process, and technical assistance provided to respondents, can be found in Chapter 5, "Survey Methodology and Procedures," of this report.

Providing EAVS data is frequently a joint task undertaken by state and local jurisdiction election officials. Although 25 states and territories were able to provide all EAVS data from their centralized election database, 31 states and territories relied on local jurisdictions to provide responses to some

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⁵ Puerto Rico provides EAVS data only in presidential election years, as it does not hold elections for federal candidates in midterm election years. American Samoa did not participate in the 2016 EAVS. The Northern Mariana Islands participated in the EAVS for the first time in 2020.

or all of the EAVS questions. An analysis of how states provide EAVS data can be found in Chapter 2 of this report.

Chapter 1 of this report covers turnout and modes of voting in the 2020 general election, polling places and poll workers, and election technology. This chapter also comprises a non-exhaustive overview of the data provided by states and jurisdictions in the EAVS. State election policies and practices are featured in Chapter 2, "Election Law and Procedure: The Policy Survey." Voter registration is covered in greater detail in Chapter 3, "Voter Registration: The NVRA and Beyond." UOCAVA voting is discussed further in Chapter 4, "Military and Overseas Voting in the 2020 General Election: UOCAVA."

Overall EAVS Response Rates

The analysis in this report is based on information and data submitted and certified by the 50 U.S. states, five territories, and the District of Columbia. These 56 entities comprised 6,460 jurisdictions.6 The state-level response rate was 100% (56 of 56 entities provided data), and the jurisdiction-level response rate was 100% (6,460 of 6,460 jurisdictions provided data).7 During the data collection period, efforts were made to maximize the completeness and accuracy of the data reported. These efforts are outlined in the methodology of this report (Chapter 5). Instances when a state's data were not included in a calculation because of missing data or data quality issues are described in the footnotes and table notes that accompany the analysis in this report.

Turnout in the 2020 General Election

According to the EAVS data submitted by states, there were 228,004,364 voters who were registered to vote in the United States as of November 3, 2020. Of this total, 209,441,338 were considered active voters, which means they had no additional processing requirements to fulfill before voting, and 18,523,963 were considered inactive voters, which means they required address verification under the provisions of the NVRA before they would be permitted to vote.8 As a percentage of the 2019 CVAP estimate calculated by the U.S. Census Bureau, 88.2% of voting age

⁶ What constitutes a jurisdiction for EAVS reporting is defined by how each state chose to provide data. For the 2020 EAVS, most states reported data on the county level (or county equivalent, such as parishes for Louisiana). Illinois, Maryland, Missouri, and Virginia reported data for independent cities in addition to counties. The territories, the District of Columbia, and Alaska each reported as a single jurisdiction. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and Wisconsin reported data on the township level. Maine also reported its UOCAVA data in Section B as a separate jurisdiction, because this information was only collected at the state level. Michigan reported data for the county level, but most election administration activities take place in the 1,520 local election jurisdictions in the state. Two jurisdictions in Wisconsin were consolidated or annexed into other jurisdictions partway through 2020. See Appendix A in Chapter 5 of this report for a breakdown of the number of jurisdictions reported in each state and the response rate by survey section for each state.

⁷ Appendix A of Chapter 5 of this report contains an analysis of state-level response rates to each section of the EAVS. 8 The total number of registered voters was collected in item A1a of the EAVS. The total number of active voters was collected in item A1b. The total number of inactive voters was collected in item A1c. According to the 2020 Policy Survey, six states (Guam, Idaho, North Dakota, New Hampshire, the U.S. Virgin Islands, and Wyoming) did not distinguish between active and inactive voters in their registration records. These states were not required to provide data in item A1c of the EAVS. Casewise deletion at the state level was used in this calculation.

Calculating Turnout Rates

When assessing election administration, one primary outcome of interest is voter turnout, which is calculated by dividing the number of people who participated in an election by the number of people who could have participated. The EAVS provides a measure of the total number of voters who cast a ballot that was counted in an election (item F1a) for the numerator in this equation. However, multiple denominators can be used:

• Number of registered voters or active voters. The number of people a state reports as registered and eligible to vote (A1a in the EAVS). Some states separately report the number of active voters who have no additional processing requirements to fulfill before voting (A1b in the EAVS). This number is available for states and sub-state EAVS jurisdictions.

$$\frac{F1a \ of \ EAVS}{A1a \ or \ A1b \ of \ EAVS} \times 100 \ = \ Registration \ Turnout \ Rate$$

• Citizen voting age population (CVAP). The estimate of the total number of U.S. citizens 18 years of age or older based on the U.S. Census Bureau's ACS. This number is available for states and most sub-state EAVS jurisdictions but not for U.S. territories, except for Puerto Rico.

$$\frac{F1a \ of \ EAVS}{CVAP} \times 100 = CVAP \ Turnout \ Rate$$

 Voting Eligible Population (VEP). The measure of the CVAP minus those who are ineligible to vote (such as persons with disqualifying felony convictions) and persons who are in the military or citizens living overseas. This number is available for states, but not territories or for sub-state jurisdictions.

$$\frac{F1a \ of \ EAVS}{VEP} \times 100 \ = \ VEP \ Turnout \ Rate$$

Relying on the number of registered or active voters can be problematic for calculating turnout because it is often challenging for states to keep voter registration rolls fully up to date (see Chapter 3 of this report for a discussion of list maintenance practices). Using VEP as the denominator in turnout calculations would somewhat overrepresent voter turnout—since EAVS data explicitly include persons covered by UOCAVA—and would restrict the ability to estimate turnout for sub-state jurisdictions. Although each denominator has its limitations, the EAC uses CVAP to calculate turnout in this report because of its availability for the majority of jurisdictions that report EAVS data and because it provides a more accurate picture of the population covered by the EAVS. Appendix D of Chapter 5 of this report contains recommendations on how to calculate additional EAVS rates.

citizens were registered as active voters for the 2020 general election.9 This is an increase of 3.6 percentage points from the 2016 CVAP active voter registration rate of 84.6%. Further details about

⁹ This report uses the 1-year American Community Survey (ACS) state estimate for 2019 instead of the 5-year estimate to ensure that the CVAP is as current as possible. The CVAP estimates for 2020 were not available by the time this report was finalized. The active CVAP registration rate was calculated as the total number of active voters (A1b of the EAVS) divided by CVAP. American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands were not included in this calculation because the U.S. Census Bureau does not calculate a CVAP for these territories. North Dakota was not included

voter registration, including how voters registered to vote, the use of same-day voter registration (SDR), and list maintenance, can be found in Chapter 3 of this report.

States also reported that a total of 161,303,109 voters cast ballots that were counted for the 2020 general election. This represents a CVAP turnout rate of 67.7% nationwide. ¹⁰ Turnout for the 2020 general election increased 6.7 percentage points from the 2016 CVAP turnout rate of 61%. ¹¹ Despite many election administration challenges related to the COVID-19 pandemic, the 2020 election had the highest turnout rate of any EAVS to date.

Figure 2 shows that nearly all states experienced higher turnout rates in 2020 than they did for the 2016 general election. Twenty-one states had more than 70% of their CVAP cast a ballot that was counted for the 2020 general election; only four states had turnout over 70% for the 2016 election. In addition, three states—Utah, Hawaii, and Texas—had turnout increases of more than 10 percentage points compared to the 2016 general election. The states with the highest turnout increases tended to be those that made mail voting easy for voters. Hawaii and Utah had both enacted all-mail elections in 2019, and Nevada, New Jersey, and Vermont did the same as a temporary measure in response to the COVID-19 pandemic. Arizona, California, Montana, and Washington had already been conducting their elections predominantly or entirely by mail before 2020. Michigan automatically sent mailed ballot request forms to all registered voters for the 2020 general election. These states, along with Georgia, Tennessee, and Texas, each had turnout increases of more than 8 percentage points from 2016 to 2020. Only one U.S. territory—Puerto Rico—reported a decrease in turnout since the 2016 general election.

Another notable finding from the 2020 EAVS was a change in how voters cast their ballots. Historically, the majority of voters have cast their ballots in person at a physical polling place on Election Day. This method of voting was used by 54.5% of voters in 2016 and by 58.2% of voters in 2018. However, in 2020, the percentage of these voters fell to 30.5%. ¹² For the first time in EAVS history, a majority of voters did not cast their ballots in person on Election Day; in 2020, Election Day in-person voting was less commonly used than mail voting or in-person early voting. The nationwide number of voters who vote in person on Election Day has likewise been steadily decreasing, from 72,393,400 in 2016 to 67,133,886 in 2018 and to 47,148,389 in 2020. This is despite an overall

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in this calculation because this state does not have voter registration. Casewise deletion at the state level was used in this calculation.

¹⁰ The total number of voters who cast a ballot that was counted was reported in item F1a of the EAVS. The CVAP turnout rate was calculated by dividing F1a by CVAP. American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands were not included in this calculation because the U.S. Census Bureau does not calculate CVAP for these territories. Casewise deletion at the state level was used in this calculation.

¹¹ For the 2020 EAVS, the question about voter participation was reworded. In 2016, this question collected data on ballots cast (independent of outcome), whereas in 2020, it collected data on ballots cast and counted. Thus, it is likely that the 2016 turnout calculation was higher than it would have been if the 2020 question wording had been used, thus, underestimating the true turnout change from 2016 to 2020.

¹² Election Day in-person turnout was calculated by dividing the total number of Election Day in-person voters who cast a ballot that was counted (item F1b of the EAVS) by the total number of voters who cast a ballot that was counted (item F1a). Oregon and Washington did not report any in-person Election Day voters because these states conduct their elections almost entirely by mail. Casewise deletion at the state level was used in this calculation.

Minnesota -4.9% Colorado Maine -3.2% New Hampshire -2.9% Washington -9.9% 6.4% Oregon Wisconsin Vermont Michigan 8.2% Montana 8.8% 8.5% New Jersey 3.9% lowa Massachusetts -3.7% Utah +15% 6.1% Virginia Florida -5.3% North Carolina 7.4% Connecticut 6.3% Pennsylvania 7.3% 6.7% Delaware 4.7% Maryland Nebraska -5.3% -3.7% Missouri Idaho California +9.6% Alaska 6.6% Illinois 5.9% Ohio -3.3% Nevada 8.6% 8.8% Arizona Georgia -8.4% Kansas 6.6% 6.6% South Dakota Rhode Island +5% South Carolina -7.1% District of Columbia -2.7% North Dakota +3% Wyoming +5% Kentucky -5.3% 6.1% New York -3.3% Louisiana Alabama -3.9% Indiana +4% New Mexico 6.3% Texas Tennessee 8.2% Mississippi 14.4% Hawaii West Virginia Oklahoma -2.2% Arkansas -6.2% Puerto Rico -8.9% 40% 50% 55% 70% 75% 80% 45% 60% 65% 85% Percentage of Voter Turnout 2016 CVAP Turnout 2020 CVAP Turnout

Figure 2. Nearly All States Experienced Turnout Increases in the 2020 General Election

Source: The CVAP turnout was calculated as F1a/CVAP x 100 for both 2016 and 2020. American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands were not included, as CVAP is not available for these territories. Casewise deletion was used at the state level in calculating turnout. Change between 2016 and 2020 is measured in percentage points.

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increase in 2020 in the number of states with a policy that allows for vote centers (either on a statewide level or in certain jurisdictions), which allow voters to cast their ballots at any polling location or vote center within their jurisdiction rather than at an assigned polling location. Twenty-one states reported allowing vote centers for the 2020 general election compared to 17 states in 2018. 13

The percentage of voters who used a mailed ballot to vote surged, from 24.5% in 2016 and 25.6% in 2018 to 43.1% in 2020. The number of voters who used in-person early voting also increased from previous years, although the increase was not as large. In 2016, 25.3% of voters cast their ballots early in person, and 22% did so in 2018, compared to 30.6% for the 2020 general election. The

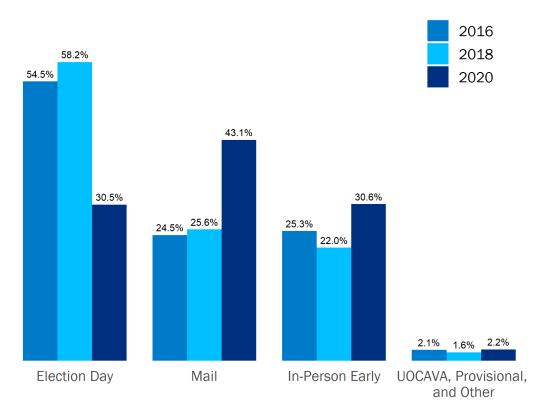


Figure 3. Mail Voting Was the Most Common Way for Voters to Cast Their Ballots in 2020

Mode of Turnout

Source: Election Day turnout was calculated as F1b/F1a x 100 for all years. Mail turnout was calculated as (F1d+F1g)/F1a x 100 for all years. In-person early turnout was calculated as F1f/F1a x 100 for all years. UOCAVA, provisional, and other turnout was calculated as (F1c+F1e+F1h)/F1a x 100 for all years. Casewise deletion was used at the state level (percentages for each mode of voting were calculated independently, and only states that reported data for a given mode were included in the analysis), and because of this, percentages do not sum to 100%.

¹³ Information on vote center policies was provided in Q13 of the 2018 Policy Survey and Q25 of the 2020 Policy Survey. Six states that did not offer vote centers in 2018 did so in 2020, and two states that offered vote centers in 2018 did not in 2020.

EAVS data confirm that the ways voters cast their ballots changed because of the COVID-19 pandemic. Many states took steps to reduce crowding at in-person polling places on Election Day by expanding the use of mail and early voting, and the EAVS data also confirm that voters made use of these options. Figure 3 shows the most commonly used modes of voting for the 2016, 2018, and 2020 general elections.

Voting by Mail

All states and territories and the District of Columbia offer their citizens the opportunity to cast their ballots by mail in federal general elections, although the number of citizens who cast their ballots using this method and the circumstances under which citizens can vote a mailed ballot vary widely among states. Some states use the term "absentee voting" instead of "mail voting." ¹⁴ For purposes of this report, mail voting refers to the process by which:

- 1. An individual receives a ballot in the mail before the election. In some states or jurisdictions, election offices automatically send a mailed ballot to all registered voters (often referred to as "all-mail elections"), whereas others automatically send mailed ballots only to individuals on a permanent mail voting list. In other states, individuals must file an application to request a ballot for each election for which they wish to vote a mailed ballot.¹⁵
- 2. The individual marks the mailed ballot with their preferences at home instead of at an election office or polling location.
- 3. The individual returns the voted ballot to election officials, typically by sending the voted ballot through the mail, by returning the voted ballot to an in-person voting site or election office, or by depositing the voted ballot in a secure designated drop box. ¹⁶ The options voters have for returning voted mailed ballots are dictated by state policy.

The 2020 Policy Survey results show that many states made changes to their mail voting policies since the 2018 general election. However, the Policy Survey did not record precisely when these changes were made, the reason behind the policy changes, or whether the policy changes were permanent or temporary. In 2020, 39 states did not require an excuse for voters to request a mailed ballot; six of these states and one territory (Delaware, Massachusetts, Michigan, Missouri, South Carolina, Virginia, and the U.S. Virgin Islands) required an excuse in 2018 but not in 2020. In addition, 14 states conducted all-mail elections. Ten states (California, Colorado, the District of Columbia, Hawaii, New Jersey, Nevada, Oregon, Utah, Vermont, and Washington) conducted all-mail elections on a statewide basis, and four states did so in select jurisdictions (Idaho, Minnesota, Montana, and Nebraska). However, states and jurisdictions that conducted their elections by mail

¹⁴ In recognition of the fact that many states no longer require a person to be absent from their election jurisdiction in order to be permitted to cast a ballot by mail, the EAVS uses the term "mail voting."

¹⁵ In some states, applications to vote by mail are valid for multiple elections, such as for the duration of a two-year election cycle or for all elections within a calendar year. The 2020 EAVS and Policy Survey did not collect data on how long mailed ballot applications are valid for.

¹⁶ The 2020 EAVS did not collect information on which states used drop boxes, how many drop boxes were in use, or how many ballots were returned via drop boxes.

typically also offered some form of in-person voting. For a more thorough look at the policies surrounding mail voting, please see Chapter 2, "Election Law and Procedure: The Policy Survey."

States reported that 69,486,968 ballots were cast using a mailed ballot and counted for the 2020 general election, more than double the number of ballots cast using a mailed ballot for the 2016 general election (33,140,080).¹⁷ The mailed ballot voting turnout rate increased by nearly 20 percentage points, from 24.5% in 2016 to 43.1% in 2020.

Table 1. Jurisdictions Saw Large Increases in Mail Turnout From 2018 to 2020

Type of Jurisdiction	2018 Average Mail Turnout	2020 Average Mail Turnout	Turnout Change
Jurisdiction was in a state that introduced a statewide all-mail election in 2020	9.9%	72.0%	62.1%
Jurisdiction was in a state that required an excuse for mail voting in 2018 but did not in 2020	5.9%	30.8%	24.9%
Jurisdiction was in a state that did not conduct all-mail elections in either 2018 or 2020	11.4%	30.6%	19.2%
Jurisdiction was in a state that did not change its excuse policy for mail voting from 2018 to 2020	10.2%	25.8%	15.6%

Source: The mail turnout rate for both 2018 and 2020 was calculated as $(F1d+F1g)/F1a \times 100$. Jurisdictions' classification on their state's all-mail election policy was based on their state's responses to Q9a of the 2018 Policy Survey and Q18a of the 2020 Policy Survey; jurisdictions in states that had all-vote-by-mail elections in select jurisdictions only were excluded from the analysis of mail voting policies. Jurisdictions' policies on whether to require an excuse for mail voting were based on their state's responses to Q8 of the 2018 Policy Survey and Q17 of the 2020 Policy Survey; jurisdictions in states that conduct all-mail elections, either statewide or in select jurisdictions, were excluded from the analysis of mail voting excuse policies. Casewise deletion was used at the jurisdiction level (only jurisdictions that reported data in F1d and/or F1g as well as reported data in F1a in both 2018 and 2020 were included in the analysis). All mail turnout increases from 2018 to 2020 were statistically significant at p < 0.001.

Jurisdiction-level analysis also shows large increases in mail voting from the 2018 to the 2020 general elections across a variety of policy configurations, particularly where mail voting was made more widely available. These increases are shown in Table 1. The largest increases occurred in states that did not have all-mail elections in 2018 but implemented this type of voting on a statewide level in 2020. Jurisdictions in these states had an average mail turnout level of 9.9% in 2018, which increased to 72% for the 2020 general election—an increase of 62.1 percentage points. The next largest increase occurred in jurisdictions whose states removed the requirement to provide an excuse in order to request a mailed ballot in 2020. These jurisdictions had an average mail turnout rate of 5.9% in 2018 and 30.8% in 2020, an increase of 24.9 percentage points. States that did not change their policies on all-mail elections or excuse-required mailed ballot voting also saw increases

¹⁷ The total number of mail votes was calculated by adding the number of voters who cast a mailed ballot and whose ballots were counted (item F1d of the EAVS) and the number of voters who cast a mailed ballot in a jurisdiction that conducts elections entirely by mail and whose ballots were counted (item F1g of EAVS). Mail turnout was calculated by dividing this figure by the total number of ballots that were cast and counted (item F1a of EAVS). Casewise deletion at the state level was used in these calculations.

in their mail voting rates from 2018 to 2020, but these average increases were smaller, at 19.2 percentage points and 15.6 percentage points, respectively.

States reported transmitting a total of 90,687,978 mailed ballots to non-UOCAVA voters for the November 2020 general election, of which 70,551,227 were returned by voters. This means that 77.8% of the transmitted mailed ballots were returned by voters, and of the returned ballots, 98.8% were counted and 0.8% were rejected. Although the number of mailed ballots that were transmitted more than doubled since 2016—when 41,651,526 transmitted mailed ballots were reported—the mailed ballot return, count, and rejection rates were not significantly different between the 2016 and 2020 general elections at the national level. 19

Table 2 shows the most common reasons reported for rejecting mailed ballots in the 2020 general election. In this election, rejections for having a non-matching signature accounted for nearly one-third (32.8%) of the total rejected mailed ballots. The next most common reason (22.5%) was "other," which comprised reasons such as the voter was not eligible to vote in the jurisdiction, the ballot was missing an important document (such as an affidavit or certification), the document was incomplete or insufficient, there were identifying marks on the ballot, the ballot was missing a secrecy envelope or was outside of the secrecy envelope, or a combination of reasons. ²⁰ Other common reasons for rejection included that the voter had already voted in person (13.5%), the ballot was received after the state's deadline for submitting a mailed ballot (12.1%), and there was no voter signature on the mailed ballot or the mailed ballot envelope (12.1%).

Additional information about mail voting in the 2020 general election, including statistics by state, can be found in Appendix A of this chapter.

¹⁸ The mailed ballot return rate was calculated by dividing the total number of mailed ballots returned by voters (item C1b of EAVS) by the total number of mailed ballots transmitted (item C1a of EAVS). The mailed ballot count rate was calculated by dividing the number of counted mailed ballots (item C3a) by the total number of mailed ballots returned by voters (item C1b). The mailed ballot rejection rate was calculated by dividing the total number of mailed ballots rejected (item C4a) by the total number of mailed ballots returned by voters (item C1b). A total of 0.4% of the mailed ballots returned by voters (C1b) were not classified as having been either counted (C3a) or rejected (C4a). Alabama did not provide sufficient data to calculate the mailed ballot count and rejection rates. Casewise deletion at the state level was used in these calculations. The EAVS data also show that nationwide, 1.4% of the transmitted mailed ballots were returned as undeliverable (C1c/C1a); 3.6% were surrendered, spoiled, or replaced (C1d/C1a); 0.5% were surrendered at the polls, so the voter could cast a provisional ballot (C1e/C1a); 16.8% had an unknown status, which included voters who were transmitted a mailed ballot but chose not to vote (C1f/C1a); and 1% of mailed ballots recached some other status ([C1g+C1h+C1i]/C1a). Casewise deletion at the state level was used in these calculations.

¹⁹ The comparisons were statistically insignificant at p > 0.05.

²⁰ In the 2020 EAVS, states reported other reasons for rejecting mailed ballots in items C4p_Other, C4q_Other, and C4t_Other.



Table 2. The Most Common Reason for Rejecting Mailed Ballots Was for a Non-Matching Signature

Reason	Percentage of Rejected Ballots	
Non-matching signature	32.8%	
Other reason given	22.5%	
Voter already voted in person	13.5%	
Ballot not received on time/missed deadline	12.1%	
No voter signature	12.1%	
No witness signature	5.6%	
Ballot returned in an unofficial envelope	4.2%	
Multiple ballots returned in one envelope	2.1%	
First-time voter without proper identification	2.0%	
Voter deceased	1.6%	
Ballot missing from envelope	1.5%	
Envelope not sealed	0.9%	
No resident address on envelope	0.8%	
No ballot application on record	0.6%	
No election official's signature on ballot	0.1%	

Source: Rejections for non-matching signature was calculated as C4e/C4a x 100. Rejections for other reasons was calculated as (C4p+C4q+C4r)/C4a x 100. Rejections because the voter already voted in person was calculated as C4m/C4a x 100. Rejections because the ballot was not received on time was calculated as C4b/C4a x 100. Rejections because the ballot lacked a voter signature was calculated as C4c/C4a x 100. Rejections because the ballot lacked a witness signature was calculated as C4d/C4a x 100. Rejections because the ballot was in an unofficial envelope was calculated as C4g/C4a x 100. Rejections because multiple ballots were returned in a single envelope was calculated as C4k/C4a x 100. Rejections because the first-time voter did not provide proper identification was calculated as C4n/C4a x 100. Rejections because the ballot was from a deceased voter was calculated as C4l/C4a x 100. Rejections because the ballot was missing from the envelope was calculated as C4h/C4a x 100. Rejections because the envelope was not sealed was calculated as C4i/C4a x 100. Rejections because there was no resident address on the envelope was calculated as C4j/C4a x 100. Rejections because there was no ballot application on record was calculated as C4o/C4a x 100. Rejections because there was no election official's signature on the ballot was calculated as C4f/C4a x 100. Casewise deletion was used at the state level (percentages for each rejection reason were calculated independently and only states that reported data for a given reason were included in the analysis), and because of this, percentages do not sum to 100%.

In-Person Voting Before Election Day

Most states allow some kind of in-person voting before Election Day. This type of voting generally falls into two categories:

• A voter may go to a polling place before Election Day, receive a ballot, vote their ballot while at the polling place, and place their completed ballot into a ballot box or tabulator.

A voter may go to an election office to pick up a ballot over the counter. In some states, the
voter may be able to take their ballot home with them, whereas in other states, the ballot must
be completed in the office. The ballot is then sealed in an envelope and tabulated along with
ballots that are returned to the office by mail according to local procedures.

The type of in-person voting that takes place before Election Day and the populations that may use this method of voting are determined by state law. Different states use the terms "in-person early voting" and "in-person absentee voting" to describe both of the voting methods described above, although other terms exist as well (see Chapter 2 of this report).²¹ Some states offer both types of voting activities. For example, voters in Ohio may go to their county's designated early voting site, vote in person, and cast their ballot on a direct-recording electronic device or scan their ballot in a precinct scanner. Voters also have the option of completing a ballot request form, picking up a ballot from their county's election office, and returning their ballot in person, by drop box, or by mail at a later date.

Fifty-five of the states and territories (all but New Jersey) reported offering some form of in-person voting before Election Day to their population for the 2020 general election. Of these states, 12 required voters to provide an approved excuse to cast an early ballot, and 43 states allowed for no-excuse early voting. ²² Overall, three more states offered no-excuse early voting for the 2020 general election compared to the 2018 general election. Further details about state policies on early voting can be found in Chapter 2 of this report.

For the 2020 general election, states reported that 41,266,229 ballots were cast through in-person early voting and were counted, a 71.1% increase compared to the number cast by this method for the 2016 general election (24,124,466). Although the rate of early voting increased from 2016 to 2020, from 25.3% to 30.6%, the rate of increase was not as large as it was for mail voting.²³

It should be noted that some states may have reported mailed ballots returned via drop box with other early ballots. Currently, the EAVS does not collect data on the number of ballots returned via drop box, and some states' data collection practices do not distinguish between early ballots and ballots returned via a drop box.

²¹ The EAVS questions use the term "in-person early voting" to refer to all types of in-person voting that take place before Election Day. The question instructions specify that in-person absentee voting should be reported as in-person early voting in EAVS data. However, some states' data management systems do not distinguish in-person absentee voters from mail voters, so not all states with in-person absentee voting were able to report data on how many of their voters voted in this

²² The terminology a state used to refer to the process of allowing individuals to cast their ballots in person before Election Day was collected in item Q24 of the 2020 Policy Survey. Data on whether a state required a voter to provide an excuse to cast a ballot in person before Election Day was collected in item Q24a.

²³ The total number of in-person early ballots cast and counted was collected in item F1f of the EAVS. The early voting turnout rate was calculated by dividing this figure by the total number of ballots that were cast and counted (item F1a of the EAVS). Alabama, Connecticut, Iowa, Missouri, Mississippi, Montana, New Hampshire, New Jersey, Oregon, Pennsylvania, and Rhode Island did not report data in F1f, either because they did not offer in-person early voting (in the case of New Jersey) or because the number of in-person early voters could not be tracked separately from other modes of participation. Casewise deletion at the state level was used in this calculation.



Provisional Voting

HAVA introduced provisional voting as a way for a voter to cast a ballot when the voter's registration status cannot be verified at the time of voting, when there is some indication the voter may have already cast another ballot (for instance, by mail), or when the voter's eligibility to vote is challenged. Provisional ballots are kept separate from other election ballots and are later fully counted, partially counted, or rejected depending on whether the provisional voter's eligibility can be verified in the days following the election according to the state's rules for this process. The provisional ballot process helps ensure each qualified voter casts only one ballot that is counted and allows the voter additional time to prove their eligibility to vote if necessary. Certain states are exempt from HAVA's provisional ballot requirements because they allowed SDR at the time the law was enacted. In addition, North Dakota is exempt from this provision of HAVA because it does not require citizens to register to vote.

In the 2020 Policy Survey, 49 states and territories and the District of Columbia reported offering provisional ballots to voters. Five states and one territory—Idaho, Minnesota, North Dakota, New Hampshire, Vermont, and Puerto Rico—did not.²⁴ States reported that the most common reasons for offering a voter a provisional ballot included that an election official challenged a voter's eligibility to vote (46 states), the voter was not on the list of eligible voters (43 states), the voter lacked proper identification (40 states), the voter did not reside in the precinct in which they were attempting to vote (40 states), and another person (not an election officer) challenged a voter's eligibility to vote (28 states).²⁵ If a voter cast a provisional ballot in the wrong precinct, four states reported that they would fully count the entire ballot, 20 states would partially count the ballot (e.g., only count the items on the ballot for which the voter would have been eligible had they voted in the correct precinct), and 26 states would reject the entire ballot.²⁶ For more information on provisional voting policies, including the deadlines by which provisional ballots needed to be adjudicated, please see Chapter 2 of this report.

States reported 1,316,945 provisional ballots were cast and counted for the 2020 general election. This represents a slight decline from previous years: 1,483,708 provisional ballots had been cast in 2018 and 1,897,631 in 2016. Provisional voting as a percentage of turnout has continued its rate of decline in presidential elections, from 1.7% in 2012 to 1.4% in 2016 to 0.8% in 2020.²⁷ The rate of provisional voting declined twice as fast between the 2016 and the 2020 general elections as it did between the 2012 and the 2016 general elections.

²⁴ Information on states' use of provisional voting was collected in O32 of the 2020 Policy Survey.

 $^{^{25}}$ Information on the circumstances under which a state uses provisional ballots was collected in Q32a of the 2020 Policy Survey.

²⁶ Information on how a state would treat a provisional ballot cast in the wrong precinct was collected in Q32c. Percentages were calculated using the number of states who reported using provisional voting in Q32.

²⁷ The total number of provisional ballots cast and counted was collected in item F1e of the EAVS. The provisional voting turnout rate was calculated by dividing this figure by the total number of ballots that were cast and counted (item F1a of the EAVS). Idaho, Minnesota, North Dakota, New Hampshire, and Vermont did not report data on provisional ballots in the 2020 EAVS because, as confirmed in the Policy Survey, these states do not offer provisional ballots to voters. Puerto Rico reported in the Policy Survey that it does not offer provisional ballots but reported data on provisional ballots in the EAVS. Casewise deletion at the state level was used in this calculation.

Nationally, 78.3% of provisional ballots were counted,²⁸ either in full or in part, with 21.3% being rejected.²⁹ The most common reasons that states reported for rejecting provisional ballots included that the voter was not registered in the state (accounting for 54.8% of rejections), "other reasons" (21.2%), the voter attempted to vote in the wrong jurisdiction (12.4%), the voter had already cast a ballot through another mode of voting (5%), the voter attempted to vote in the wrong precinct (4.8%), the voter failed to provide sufficient identification (3.4%), the envelope or ballot was incomplete or illegible (3.3%), and the voter's signature did not match the signature on record (2.2%).³⁰ Furthermore, 0.9% of the provisional ballots reached another adjudication aside from being either counted or rejected: the largest numbers of these ballots came from Ohio, Texas, Missouri, and Illinois.³¹

UOCAVA and Other Modes of Voting

Absentee and mail voting have long been used to provide individuals in the military or U.S. citizens who live overseas or who are absent from their residence with a way to participate in federal elections. The distinct needs of members of the uniformed services and overseas citizens remain an area of critical concern in election administration, and these individuals are given special voting protections under UOCAVA and its amendments.³² UOCAVA voters are provided certain rights to fully

²⁸ The total number of counted provisional ballots was calculated by summing the number of provisional ballots fully counted (item E1b of the EAVS) and the number of provisional ballots partially counted (item E1c). The percentage of counted provisional ballots was calculated by dividing the sum of E1b and E1c by the sum of all provisional ballot adjudications (items E1b, E1c, E1d, and E1e). Maine reported in its EAVS survey comments that all provisional ballots are counted. The data that New Jersey reported in E1e (provisional ballots that reached another adjudication) were included in this calculation, because the state explained in its survey comments that this item included provisional ballots that were accepted in part or in full. The data that El Dorado, San Bernardino, and Stanislaus counties in California reported in E1e were included in this calculation for the same reason. Casewise deletion at the state level was used in these calculations.

²⁹ The total number of rejected provisional ballots was collected in item E1d of the EAVS. The percentage of rejected provisional ballots was calculated by dividing this figure by the sum of all provisional ballot adjudications (items E1b, E1c, E1d, and E1e). Casewise deletion at the state level was used in this calculation.

³⁰ The number of provisional ballots rejected because the voter was not registered in the state was collected in item E2b of the EAVS. The number of provisional ballots rejected because the voter attempted to vote in the wrong jurisdiction was collected in item E2c. The number of provisional ballots rejected because the voter attempted to vote in the wrong precinct was collected in item E2d. The number of provisional ballots rejected because the voter did not provide sufficient identification was collected in item E2e. The number of provisional ballots rejected because the envelope and/or ballot were incomplete or illegible was collected in item E2f. The number of provisional ballots rejected because the voter's signature did not match the signature on record was collected in item E2i. The percentage of provisional ballots rejected for each of these reasons was calculated by dividing the figure by the total number of provisional ballots rejected (item E2a). Casewise deletion at the state level was used in these calculations.

³¹ The total number of provisional ballots that reached an adjudication aside from being counted or rejected was collected in item E1e of the EAVS. The percentage of other provisional ballots was calculated by dividing this figure by the sum of all provisional ballot adjudications (items E1b, E1c, E1d, and E1e). As explained in footnote 28, the E1e data for the state of New Jersey and the counties of El Dorado, San Bernardino, and Stanislaus in California were included in the calculation for counted provisional ballots. Ohio explained in its survey comments that this data included provisional ballots cast under an APRI exception but did not provide a definition for this term. Missouri explained in its survey comments that this data included provisional ballots supplied to voters who were registered but did not have a form of identification. Casewise deletion at the state level was used in this calculation.

³² The uniformed services are the armed forces—the Army, Navy, Marine Corps, Air Force, and Coast Guard—as well as the U.S. Public Health Service Commissioned Corps, the National Oceanic and Atmospheric Administration (NOAA) Commissioned Officer Corps, and the U.S. Merchant Marine. Uniformed services members, their spouses, and their eligible dependents are, together, referred to as uniformed services voters. Overseas citizens are U.S. citizens living outside of the United States who are not uniformed services voters and are also protected by UOCAVA.

participate in federal elections and are given special considerations as to when their ballots are sent,

how their blank ballots can be transmitted, and how and when they may return their voted ballots.

For the 2020 general election, states reported 938,297 UOCAVA ballots that were cast and counted. This total represents a sizeable increase from 2016 and 2018, when 649,427 and 358,137 UOCAVA ballots were cast, respectively. However, despite the increase in the number of voters who participated in the 2020 general election, UOCAVA voting as a percentage of the overall electorate stayed relatively the same in 2020. In 2016, 0.5% of voters were UOCAVA voters, and in 2020, UOCAVA voters comprised 0.6% of the electorate. 33 Nationwide, 97.6% of the UOCAVA absentee ballots that were returned by voters were counted, and 2.1% of the returned ballots were rejected.34

Chapter 4 of this report contains a complete discussion of the EAC's history of collecting data on voters covered by UOCAVA; a full analysis of the data collected about these voters and their ballots in 2020, including ballots transmitted, returned, counted, and rejected; and the use of the Federal Write-In Absentee Ballot (FWAB). Chapter 2 of this report contains a complete discussion of state policies regarding UOCAVA voting.

In addition to ballots that were cast at a physical polling place on Election Day, by mail, by in-person early voting, and by provisional voting, states had the opportunity to report data on any other modes of voting that were offered in the state in 2020.35 A total of 1,290,577 ballots were reported as cast and counted that could not be categorized according to one of the modes listed in the EAVS question. The highest numbers of these votes were reported in California (923,698 ballots), Florida (184,533 ballots), North Carolina (168,900 ballots), and Wisconsin (7,387 ballots). The most common reasons for reporting data in this item included mailed ballots that could not be distinguished as being from UOCAVA or non-UOCAVA voters, conditional voter registration (CVR) voters in California, curbside absentee voters in North Carolina, and "other," "unknown," or "not categorized" ballots.

Polling Places and Poll Workers

For an election, each voter is assigned to a precinct according to their residential address as listed in their voter registration record. A precinct is a contiguous, bounded geographic area that is the basis for determining the contests and issues on which the voters legally residing in that area are eligible to vote.³⁶ Precincts are then assigned to a polling place, which is a physical location where in-person voting takes place. As previously discussed, some states use an early voting or vote center model

³³ The total number of UOCAVA ballots that were cast and counted was collected in item F1c of the EAVS. The UOCAVA turnout rate was calculated by dividing this figure by the total number of ballots that were cast and counted (item F1a of the EAVS). Rhode Island did not report data in F1c. Their survey comment stated, "According to RI general law, all UOCAVA mail ballots are consolidated into one mail ballot category." Casewise deletion at the state level was used in this

³⁴ The total number of UOCAVA absentee ballots that were returned by voters was collected in item B9a of the EAVS. The number of UOCAVA ballots counted was collected in item B14a, and the number of UOCAVA ballots rejected was collected in item B18a. The UOCAVA ballot count rate was calculated by dividing B14a by B9a, and the rejection rate was calculated by dividing B18a by B9a. Casewise deletion at the state level was used in this calculation; this calculation also did not include returned UOCAVA ballots that were not categorized as either counted or rejected.

³⁵ Ballots cast by another mode that were counted were recorded in item F1h of the EAVS.

³⁶ Some states use the terms "ward" or "voting district" to describe their voting precincts.

that allows voters to vote at any polling location within their jurisdiction rather than at a specifically assigned polling place.

States reported 176,933 precincts that were used for the 2020 general election. States reported that 107,457 polling places were used on Election Day and that 25,099 polling places were used during the early voting period, for a total of 132,556 polling places for the 2020 general election.³⁷ States also provided information on whether their polling places were located at election offices or at other sites, such as libraries, schools, or mobile voting locations. There continues to be differences in where states locate their early voting polling locations, as opposed to their Election Day polling locations. States reported that nationwide, 42.8% of early voting sites were located at election offices, and 57.3% were located at other sites.³⁸ However, for Election Day polling places, only 9.6% of polling places were located at election offices, and 93.8% were reported as being located at other sites.³⁹

Many of the laws, rules, policies, and procedures governing elections are enforced, in practice, by the poll workers who assist with elections.⁴⁰ These poll workers are typically not full-time election workers or employees of election offices; rather, they are recruited and trained to assist in the voting process during an election. Typical activities that poll workers assist in include verifying the identities

³⁷ The total number of precincts was collected in item D2a of the EAVS. The total number of Election Day polling places was collected in item D3a. The total number of early voting polling places was collected in item D4a. Kansas and Washington did not provide data on the number of Election Day polling places. Connecticut, Iowa, Kansas, Missouri, Mississippi, New Hampshire, New Jersey, and Oregon did not provide data on the number of early voting polling places; several of these states noted that early voting opportunities are limited to special circumstances, so the number of early voting sites was not tracked. Before this report's finalization, Virginia notified the EAC that the statewide number of early voting polling places in D4a was 208, not 133. Data users should note that the question numbering in this section changed in 2020; these questions were numbered differently in the 2016 and 2018 EAVS. However, a year-over-year analysis of polling places as reported in the EAVS is cautioned against, as these items have been underreported in previous years. 38 The number of early voting polling places located at election offices was collected in item D4c of the EAVS. The number of early voting polling places located at other sites was collected in item D4b of the EAVS. The percentage of early voting polling locations located at each type of site was calculated by dividing the EAVS item by the sum of D4b and D4c. This denominator was used instead of the reported total number of early voting polling locations (item D4a), because some states provided a total in D4a but not a breakdown in D4b and D4c. Of the states that reported offering in-person early voting, Connecticut, Iowa, Kansas, Missouri, Mississippi, New Hampshire, Oregon, and Wisconsin did not provide any data on early voting polling places in D4a, D4b, or D4c. Several of these states noted in their survey comments that early voting was offered only in very limited circumstances. Georgia and Rhode Island provided data on the total number of early voting polling places in D4a but did not provide a data breakdown in D4b and D4c. New Jersey did not provide data because it did not offer in-person early voting. Casewise deletion at the state level was used in these calculations, and because each category was calculated independently, the percentages do not sum to 100%.

³⁹ The number of Election Day polling places located at election offices was collected in item D3c of the EAVS. The number of Election Day polling places located at other sites was collected in item D3b of the EAVS. The percentage of Election Day polling locations located at each type of site was calculated by dividing the EAVS item by the sum of D3b and D3c. This denominator was used instead of the reported total number of Election Day polling locations (item D3a), because some states provided a total in D3a but not a breakdown in D3b and D3c. Casewise deletion at the state level was used in these calculations, and because each category was calculated independently, the percentages do not sum to 100%. Of the states that reported offering in-person early voting, Kansas and Washington did not provide any data on Election Day polling places in D3a, D3b, or D3c: Washington noted that data were not provided because the state votes almost entirely by mail. The District of Columbia, Georgia, Idaho, Massachusetts, Maine, Minnesota, Missouri, the Northern Mariana Islands, Ohio, Puerto Rico, Tennessee, and the U.S. Virgin Islands provided data on the total number of Election Day polling places in D3a but did not provide a data breakdown in D3b and D3c.

⁴⁰ Some states and jurisdictions use other titles for poll workers, such as election judges, booth workers, wardens, or commissioners. The EAVS instructions stated that observers stationed at polling places, regular office staff who did not fulfill poll worker functions during the election, or temporary election staff who were not hired specifically to serve voters in either early or Election Day voting should not be counted as poll workers for purposes of the EAVS.

of those who come to vote, assisting voters with signing documents required to cast a ballot, providing ballots and setting up voting equipment, and performing other functions as dictated by the state or local election authority.

States reported the number of early voting and Election Day poll workers separately, and they also reported the total number of poll workers who assisted with the 2020 general election. States reported that a total of 775,101 poll workers assisted with the 2020 general election. This included 690,346 poll workers who assisted with Election Day voting and 135,105 poll workers who assisted with early voting. Among states that reported data on poll workers for both the 2016 and the 2020 EAVS, there was no statistically significant change in the number of poll workers reported.

Thirty-six states also reported information on the ages of their poll workers.⁴³ Among these states, the majority of poll workers were over the age of 40 in the 2020 general election, with nearly half of them over 60 years old. However, Figure 4, which compares the age distribution of poll workers in the 2016 general election to those in the 2020 general election, shows slight but statistically significant shifts in the age categories over time. In 2020, the percentage of poll workers who were ages 18 to 25 and 26 to 40 increased, and the percentage of poll workers who were ages 61 to 70 and 71 or older decreased compared to 2016.⁴⁴ Notably, the percentage of poll workers who were ages 26 to 40 nearly doubled, from 8% in 2016 to 15% in 2020.

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⁴¹ The total number of poll workers who assisted with the 2020 general election was collected in item D7a of the EAVS. The total number of poll workers who assisted with Election Day voting was collected in item D5. The total number of poll workers who assisted with early voting was collected in item D6. D7a does not match the sum of D5 and D6, because in D7a, each poll worker was to only be counted once even if they assisted with both early voting and Election Day voting. Oregon, Pennsylvania, Puerto Rico, Vermont, Washington, and Wisconsin were unable to provide poll worker data. Alabama, Connecticut, Louisiana, Maine, Massachusetts, Missouri, Mississippi, New Jersey, and North Dakota did not provide data on the number of early voting poll workers. North Dakota did not provide data on the number of Election Day poll workers. New Hampshire provided data on the minimum number of poll workers required at each polling location by law but noted that it may not reflect the number of poll workers who actually assisted.

 $^{^{42}}$ T tests conducted on the national number of poll workers in 2016 and 2020 were statistically insignificant at p < 0.05. 43 Poll worker age data were reported in item D7 of the EAVS for 2020, with D7a corresponding to the total number of poll workers who assisted with the 2020 general election and items D7b–D7g corresponding to age categories. The denominator used in this calculation was the sum of the age categories in D7b–D7g. Poll worker age data were reported in items D3 and D4 for 2016, with D3a corresponding to the total number of poll workers and items D4a–D4f corresponding to age categories. The denominator used in this calculation was the sum of the age categories in D4a–D4f. In 2020, South Carolina only reported poll workers who were under the age of 18 and did not provide data for any other age categories. South Carolina was excluded from the calculations of the percentage of poll workers by age. Connecticut, Georgia, Hawaii, Illinois, Louisiana, Massachusetts, Minnesota, New Hampshire, New Jersey, North Dakota, the Northern Mariana Islands, Oregon, Pennsylvania, Puerto Rico, Rhode Island, the U.S. Virgin Islands, Vermont, Virginia, Washington, and Wisconsin were unable to provide data on the ages of their poll workers. Casewise deletion at the state level was used in these calculations.

 $^{^{44}}$ *T* tests conducted that compared the percentage of poll workers in the 18 to 25, 26 to 40, 61 to 70, and 71 or older age categories between 2016 and 2020 were statistically significant at p < 0.05, with most being p < 0.01. Other age groups did not have a statistically significant change.

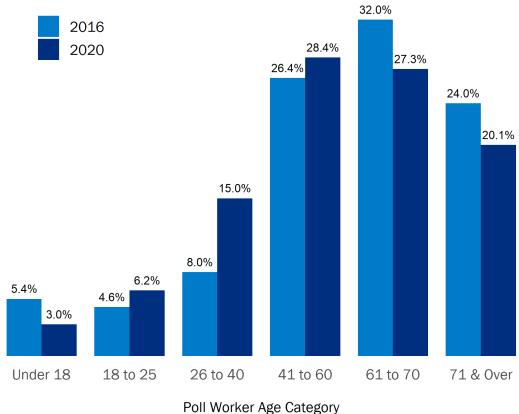


Figure 4. Poll Worker Age Distribution Was Slightly Younger in 2020 Than in 2016

Toll Worker Age Odlegory

Source: The percentage of poll workers under age 18 was calculated as D7b/(D7b+D7c+D7d+D7e+D7f+D7g) \times 100 for 2020 and D4a/(D4a+D4b+D4c+D4d+D4e+D4f) \times 100 for 2016. The percentage of poll workers ages 18–25 was calculated as D7c/(D7b+D7c+D7d+D7e+D7f+D7g) \times 100 for 2020 and D4b/(D4a+D4b+D4c+D4d+D4e+D4f) \times 100 for 2016. The percentage of poll workers ages 26–40 was calculated as D7d/(D7b+D7c+D7d+D7e+D7f+D7g) \times 100 for 2020 and D4c/(D4a+D4b+D4c+D4d+D4e+D4f) \times 100 for 2016. The percentage of poll workers ages 41–60 was calculated as D7d/(D7b+D7c+D7d+D7e+D7f+D7g) \times 100 for 2020 and D4d/(D4a+D4b+D4c+D4d+D4e+D4f) \times 100 for 2016. The percentage of poll workers ages 61–70 was calculated as D7e/(D7b+D7c+D7d+D7e+D7f+D7g) \times 100 for 2020 and D4e/(D4a+D4b+D4c+D4d+D4e+D4f) \times 100 for 2016. The percentage of poll workers ages 71 or older was calculated as D7g/(D7b+D7c+D7d+D7e+D7f+D7g) \times 100 for 2020 and D4f/(D4a+D4b+D4c+D4d+D4e+D4f) \times 100 for 2016. Casewise deletion was used at the state level (percentages for each age category were calculated independently and only states that reported data for a given age category were included in the analysis), and because of this, percentages do not sum to 100%.

The survey comments many jurisdictions provided indicated that this age shift was partially attributable to the COVID-19 pandemic. The U.S. Centers for Disease Control and Prevention (CDC) stated that older adults are at greater risk of severe illness from COVID-19, with adults 65 years or older in the highest risk category. This risk category overlaps with the group of adults who typically make up the majority of poll workers in federal general elections. The 2020 EAVS data confirm that a number of older poll workers did not assist with the 2020 general election and that many younger adults took their places.

SSISTANCE COMMISSION AND SIGNATURE COMMISSION

The COVID-19 pandemic also affected state and local efforts to obtain a sufficient number of poll workers to assist with the 2020 general election. Although poll worker recruitment remains a challenge, with 52% of jurisdictions reporting that it was either very difficult or somewhat difficult to obtain a sufficient number of poll workers, Figure 5 shows that poll worker recruitment has gotten less difficult since the 2016 general election.⁴⁵ In their survey comments, many jurisdictions cited cross-cutting effects on their recruitment efforts. Some long-time poll workers who had served in previous elections were unable to do so for the 2020 general election; some were unable to work because of age-related COVID-19 risks, and in many cases, jurisdictions needed to replace workers who called out sick close to the election to quarantine after COVID-19 exposure. On the other hand, many jurisdiction officials praised the efforts of the EAC and state election offices that encouraged

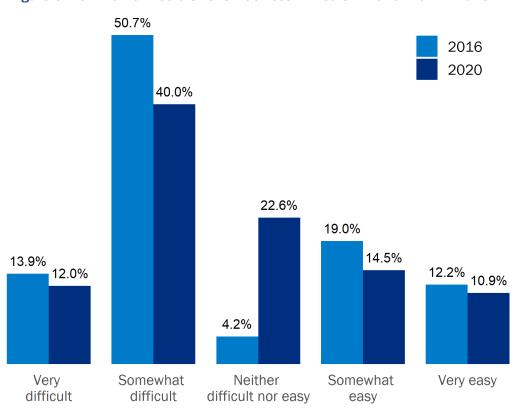


Figure 5. Poll Worker Recruitment Was Less Difficult in 2020 Than in 2016

Ease of Recruiting Poll Workers

Source: Ease of recruiting poll workers was collected in item D8 in the 2020 EAVS and D5 in the 2016 EAVS. For both years, jurisdictions that responded, "not enough information to answer," "data not available," "does not apply," or left this item blank were excluded from this analysis.

 $^{^{45}}$ Data on the ease of recruiting poll workers were collected in item D8 of the 2020 EAVS and item D5 of the 2016 EAVS. In 2020, 3,436 of 6,460 jurisdictions (53.2%) responded "not enough information to answer," "data not available," "does not apply," or left this item blank. The comparison between 2016 and 2020 data was statistically significant at p < 0.01.

qualified individuals to sign up as poll workers. Some jurisdictions noted that they had overwhelming interest from those who view assisting with elections as a way to help their community and recruited more poll workers than they had available slots to fill.

Notably, ease of poll worker recruiting appears to be highly correlated with the size of the jurisdiction. Jurisdictions that had 10,000 or fewer registered voters reported having an easier time recruiting poll workers than did jurisdictions with more than 10,000 registered voters.⁴⁶

Election Technology

The use of technology in polling places and vote tally locations varies widely across and within the states. The EAVS collects data on the type of voting equipment that is used and the type of voting that the equipment is used for, the specific makes and models of the equipment and how many are deployed, and whether electronic poll books (or e-poll books) are used to assist at polling places. The voting equipment landscape continues to evolve with each election.

Voting Equipment

The EAVS collects data on the use of six types of voting equipment that voters can use to cast their ballots:⁴⁷

- Direct-recording electronic (DRE) voting equipment, not equipped with a voter-verified paper audit trail (VVPAT)⁴⁸
- DRE voting equipment, equipped with a VVPAT⁴⁹
- Electronic system that produces a paper record but does not tabulate votes. These are often referred to as ballot marking devices (BMD)⁵⁰
- Scanner (optical/digital) that tabulates paper records that voters mark by hand or via a ballot marking device⁵¹

⁴⁶ For this comparison, jurisdictions were classified according to the total number of registered voters as reported in item A1a of the EAVS. This comparison was statistically significant at p < 0.001.

⁴⁷ Two jurisdictions in Arkansas and 21 jurisdictions in Kansas did not provide any information about their voting equipment in the EAVS. Two jurisdictions in Missouri did not provide responses on the use of DREs with VVPAT (F6 in the EAVS), and an additional jurisdiction in Missouri did not provide responses on the use of ballot marking devices (BMD; F7 in the EAVS) or scanners (F8 in the EAVS). Five jurisdictions in Texas did not provide responses on the use of DREs without VVPAT (F5 in the EAVS), DREs with VVPAT, BMDs, or scanners. Twenty-six jurisdictions in Utah responded "data not available" to questions about BMDs, and one responded "data not available" to questions about scanners (F8 in the EAVS). In Vermont, 101 jurisdictions responded "does not apply" to questions about scanners, and 145 jurisdictions did not provide responses to questions about hand counting ballots (F11 in the EAVS). No jurisdictions in Kansas provided responses to questions about the use of BMDs or hand counting ballots. Two jurisdictions—Maine – UOCAVA and Kalawao County, Hawaii—responded "does not apply" to all of these questions; however, that is because these jurisdictions report EAVS data with other jurisdictions in their state (see Chapter 5 for more details).

⁴⁸ Data on DREs without VVPAT were collected in items F5a, F5b, F5c, and F5d of the EAVS.

⁴⁹ Data on DREs with VVPAT were collected in items F6a, F6b, F6c, and F6d of the EAVS.

⁵⁰ Data on BMDs were collected in items F7a, F7b, F7c, and F7d of the EAVS.

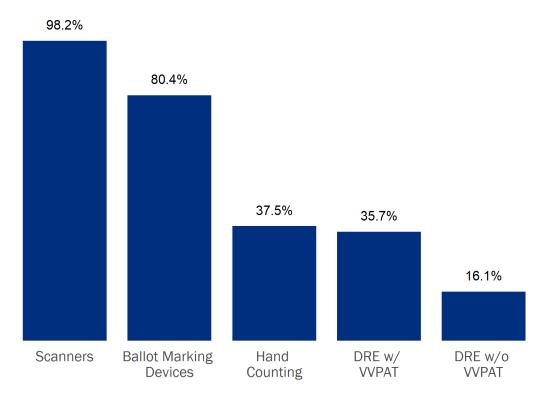
⁵¹ Data on scanners were collected in items F8a, F8b, F8c, and F8d of the EAVS.



- Punch card machines⁵²
- Lever machines⁵³

The EAVS also collects information on whether jurisdictions hand count paper ballots without the use of an optical or digital scanning system.⁵⁴

Figure 6. Scanners and BMDs Were the Most Commonly Used Voting Methods in 2020



Percentage of States with At Least One Jurisdiction Using the Voting Method in the 2020 General Election

Source: The use of scanners was collected in item F8a of the 2020 EAVS. Use of BMDs was collected in item F7a. Use of hand counting was collected in item F11a. Use of DRE with VVPAT was collected in item F6a. Use of DRE without VVPAT was collected in item F5a. States in which at least one EAVS jurisdiction reported using the voting equipment are included in this graph. Kansas did not respond to F7a or F11a.

⁵² Data on punch card machines were collected in items F9a, F9b, F9c, and F9d of the EAVS. No jurisdictions have reported using this equipment since before the 2016 EAVS.

⁵³ Data on lever machines were collected in items F10a, F10b, F10c, and F10d of the EAVS. No jurisdictions have reported using this equipment since before the 2016 EAVS.

⁵⁴ Data on hand counting paper ballots were collected in items F11a and F11d of the EAVS.

Nationally, states reported deploying 369,366 pieces of voting equipment to cast and tabulate votes for the 2020 general election.⁵⁵ Figure 6 shows the number of states that reported using voting equipment in at least one jurisdiction. Most jurisdictions and states used more than one type of equipment. The most commonly used types of equipment were scanners (used in 55 states) and BMDs (used in 45 states). Twenty-one states reported hand counting ballots without using any equipment to assist, and 20 states used DREs equipped with a VVPAT.

The use of DREs without VVPAT has been a particular concern to some experts, because these machines do not include a paper record of the votes that are cast, which raises security issues and can make it difficult to conduct certain types of post-election audits. In the 2018 EAVS, 14 states reported using DREs without VVPAT in at least one of their jurisdictions. The 2020 EAVS data show that only nine states now use this equipment in at least one of their jurisdictions: Arkansas, Indiana, Kansas, Kentucky, Louisiana, Mississippi, New Jersey, Tennessee, and Texas. Of these states, Louisiana reported using DREs without VVPAT in each of its jurisdictions. Five states that reported using DREs without VVPAT in 2018 discontinued using those machines by the 2020 general election (Delaware, Florida, Georgia, Pennsylvania, and South Carolina).

Table 3. DRE Without VVPAT-Only Jurisdictions Declined Between 2018 and 2020

	2018		2020	
State	Number of Jurisdictions	Percentage of Jurisdictions	Number of Jurisdictions	Percentage of Jurisdictions
Arkansas	1	1.3%	0	
Indiana	16	17.4%	12	13.0%
Kansas	7	6.7%	0	
Kentucky	5	4.2%	0	
Pennsylvania	50	74.6%	0	
Tennessee	6	6.3%	1	1.1%
Texas	32	12.6%	19	7.5%

Source: The number of jurisdictions that reported using only DRE without VVPAT voting machines was based on responses to items F5a, F6a, F7a, and F8a of the 2018 and 2020 EAVS. The percentage of jurisdictions using only DRE without VVPAT was calculated by dividing by the total number of jurisdictions in the state. One county in Florida that reported using a DRE without VVPAT in 2018 was not included in this table, because the county had listed a make and model of a scanner in item F5b_1 in its 2018 data, which indicates a possible data entry error. None of the counties in Kansas that did not provide voting equipment information for the 2020 EAVS reported using DREs without VVPAT in the 2018 EAVS.

⁵⁵ The number of voting machines deployed was reported in items F5c_1, F5c_2, F5c_3, F6c_1, F6c_2, F6c_3, F7c_1, F7c_2, F7c_3, F8c_1, F8c_2, F8c_3, F9c_1, F9c_2, F9c_3, F10c_1, F10c_2, and F10c_3 of the EAVS. These items were summed for each jurisdiction to arrive at this total. American Samoa did not report the number of voting machines deployed, because this territory only uses hand-marked paper ballots that are manually counted. Oregon and Wisconsin reported that they do not track the number of voting machines deployed. Before this report's finalization, Virginia notified the EAC that the statewide number of BMDs in F7c_1, F7c_2, and F7c_3 was 2,533, not "data not available."

The number of jurisdictions that reported using only DREs without VVPAT and not using any other type of voting equipment also declined between 2018 and 2020. Table 3 shows that for the 2020 general election, only three states reported having jurisdictions that used only DREs without VVPAT as their voting equipment, and in each of those states, the percentage of their jurisdictions that used only DRE without VVPAT has also decreased since 2018.

Electronic Poll Books

When voters go into polling places, their identity is checked against voter registration information that is contained in poll books to ensure they are registered to vote and did not already cast a ballot during in-person early voting or with a mailed ballot. These poll books can be paper based and printed before the election, or they can be electronic. The use of e-poll books has steadily increased in recent elections. For the 2016 general election, 1,146 jurisdictions (17.7%) reported using e-poll books; this number rose to 1,684 (26.1%) in 2018 and to 1,991 (30.8%) in 2020. The number of jurisdictions that used e-poll books in 2020 represents an 18.2% increase from 2018.

As of the 2020 general election, 38 states reported using e-poll books in at least one of their jurisdictions, and 16 states and territories (Arizona, Delaware, Georgia, Iowa, Kentucky, Maryland, Michigan, Nevada, New Mexico, New York, North Carolina, North Dakota, Puerto Rico, Rhode Island, South Carolina, and the U.S. Virgin Islands) and the District of Columbia reported using e-poll books in all of their jurisdictions. Of the jurisdictions that reported using e-poll books, the most common usages were to sign voters in at polling places (98.9%), update voter history (87.8%), and look up polling places (79.5%), and 20.7% of jurisdictions reported using e-poll books for other uses as well.⁵⁶

The 2020 Policy Survey also collected information on whether states have a testing or certification process in place for e-poll books.⁵⁷ Of the 39 states that provided a response to this question, 12 states (30.8%) indicated that the testing and certification process is required by statute, 10 states (25.6%) indicated that the testing and certification process is required by a formal administrative rule or as guidance, and 17 states (43.6%) indicated that testing and certification of e-poll books is not required.⁵⁸ The EAC does not currently provide testing or certification of e-poll books; any testing that states perform on their equipment is performed to the state's specifications.

⁵⁶ Use of e-poll books to sign voters in was reported in item F3a of the EAVS. Use of e-poll books to update voter history was reported in item F3b. Use of e-poll books to look up polling places was reported in item F3c. Use of e-poll books for other purposes was reported in item F3d. A jurisdiction was considered to have used e-poll books in 2020 if it responded "yes" to at least one of these items.

⁵⁷ Q16 of the 2020 Policy Survey collected information on whether the state, or any jurisdiction in the state, used e-poll books. Colorado, Hawaii, and Massachusetts reported in the Policy Survey that they used e-poll books but did not report data on the usage of e-poll books in item F3 of the EAVS; Colorado noted in a comment in the Policy Survey that "CO's statewide voter registration system has an application that allows judges at vote centers to look up in-person voters and see whether they've returned a ballot. There is no testing and certification because the application is developed and maintained by our VR development team in our IT department." Puerto Rico reported data on the usage of e-poll books in the EAVS but reported not using e-poll books in the Policy Survey.

⁵⁸ Q16a of the 2020 Policy Survey collected information on what kind of testing or certification is required for e-poll books. Illinois did not provide a response to this question.

Appendix A: Descriptive Tables

Overview Table 1: 2020 EAVS at a Glance

State	Total Jurisdictions	Total Active Registered Voters	Total CVAP	Total Voter Turnout	Turnout as % of Active Registration	Turnout as % of CVAP
Alabama [1]	67	3,438,213	3,731,336	2,329,047	67.7	62.4
Alaska	1	595,647	533,151	361,400	60.7	67.8
American Samoa [2]	1	16,341		11,944	73.1	-
Arizona	15	4,275,729	5,137,474	3,420,481	80.0	66.6
Arkansas	75	1,408,061	2,235,415	1,209,997	85.9	54.1
California	58	21,795,538	26,032,160	17,720,746	81.3	68.1
Colorado	64	3,803,762	4,244,210	3,320,607	87.3	78.2
Connecticut [1]	169	2,335,860	2,619,474	1,863,479	79.8	71.1
Delaware	3	711,287	725,178	514,656	72.4	71.0
District of Columbia	1	517,890	536,768	346,491	66.9	64.6
Florida	67	14,517,002	15,507,315	11,137,676	76.7	71.8
Georgia	159	7,194,889	7,581,837	5,023,812	69.8	66.3
Guam [2]	1	55,896		29,377	52.6	-
Hawaii [3]	5	759,971	1,014,035	580,098	76.3	57.2
Idaho	44	1,029,763	1,282,630	878,527	85.3	68.5
Illinois	108	9,103,542	9,088,036	6,140,545	67.5	67.6
Indiana	92	4,170,353	4,978,356	3,103,284	74.4	62.3
lowa [1]	99	2,094,770	2,348,787	1,700,130	81.2	72.4
Kansas [4]	105	1,764,949	2,103,748	1,379,623	78.2	65.6
Kentucky	120	3,319,307	3,367,502	2,149,444	64.8	63.8
Louisiana	64	2,963,901	3,463,372	2,169,354	73.2	62.6
Maine	497	1,135,008	1,078,770	822,534	72.5	76.2
Maryland	24	4,142,347	4,316,921	3,059,603	73.9	70.9
Massachusetts	351	4,400,254	5,057,192	3,658,005	83.1	72.3
Michigan [5]	83	7,209,300	7,562,464	5,579,317	77.4	73.8
Minnesota	87	3,731,016	4,157,556	3,290,013	88.2	79.1
Mississippi [1]	82	1,982,632	2,246,323	1,334,155	67.3	59.4
Missouri [1]	116	3,963,980	4,650,318	3,201,458	80.8	68.8
Montana [1]	56	675,971	831,760	612,141	90.6	73.6
Nebraska	93	1,168,708	1,388,950	966,786	82.7	69.6
Nevada	17	1,835,401	2,111,932	1,407,761	76.7	66.7
New Hampshire [1], [6]	320	1,087,145	1,070,215	814,499	74.9	76.1
New Jersey [7]	21	5,896,836	6,170,130	4,494,659	76.2	72.8
New Mexico	33	1,255,669	1,522,171	928,230	73.9	61.0
New York	62	12,362,997	13,810,830	8,701,749	70.4	63.0



State	Total Jurisdictions	Total Active Registered Voters	Total CVAP	Total Voter Turnout	Turnout as % of Active Registration	Turnout as % of CVAP
North Carolina	100	6,607,121	7,729,644	5,543,405	83.9	71.7
North Dakota [8]	53		567,545	364,499		64.2
Northern Mariana Islands [2]	1	18,526		13,355	72.1	
Ohio	88	8,073,829	8,879,469	5,974,121	74.0	67.3
Oklahoma	77	2,021,846	2,875,059	1,564,886	77.4	54.4
Oregon [9]	36	2,944,588	3,162,204	2,396,123	81.4	75.8
Pennsylvania [10]	67	8,280,348	9,810,201	6,973,951	84.2	71.1
Puerto Rico [11]	1	2,355,894	2,579,596	1,296,169	55.0	50.2
Rhode Island [1]	39	735,195	800,798	519,412	70.6	64.9
South Carolina	46	3,535,061	3,892,341	2,523,856	71.4	64.8
South Dakota	66	578,683	653,394	427,406	73.9	65.4
Tennessee	95	4,226,928	5,129,580	3,074,692	72.7	59.9
Texas	254	15,279,870	18,875,542	11,449,044	74.9	60.7
U.S. Virgin Islands [2]	1	53,341		18,064	33.9	
Utah	29	1,713,297	2,134,249	1,542,529	90.0	72.3
Vermont [12]	246	440,920	498,705	368,075	83.5	73.8
Virginia [13]	133	5,763,187	6,226,623	4,487,338	77.9	72.1
Washington [14]	39	4,892,871	5,409,035	4,116,055	84.1	76.1
West Virginia	55	1,062,685	1,420,289	801,667	75.4	56.4
Wisconsin [15]	1,851	3,834,164	4,412,888	3,308,331	86.3	75.0
Wyoming	23	303,049	434,852	278,503	91.9	64.0
U.S. Total	6,460	209,441,338	237,998,330	161,303,109	76.8	67.7

State	Total In-Person Election Day Ballots Cast and Counted	Total Mailed Ballots Cast and Counted	Total In-Person Early Ballots Cast and Counted	Total Polling Places	Total Poll Workers
Alabama [1]	2,014,242	300,684		2,045	16,128
Alaska	157,220	92,471	82,451	584	3,077
American Samoa [2]	10,310	905	455	42	256
Arizona	371,565	2,931,175	69,063	928	7,482
Arkansas	258,836	84,910	830,561	20,889	6,549
California	1,124,389	14,515,783	966,201	5,655	48,221
Colorado	89,789	3,092,904	108,856	642	7,185
Connecticut [1]	1,188,283	667,403	-	718	3,590
Delaware	345,809	161,135	5,236	267	3,157
District of Columbia	29,036	229,459	80,959	127	4,467
Florida	1,942,102	4,546,896	4,332,912	4,858	44,857
Georgia	980,627	1,311,361	2,704,002	2,755	27,474
Guam [2]	16,167	108	12,966	27	465
Hawaii [3]	4,522	548,636	24,214	16	64
Idaho	384,319	345,636	145,388	754	5,815
Illinois	2,049,927	2,037,583	2,005,711	19,684	46,711
Indiana	1,201,154	535,942	1,354,897	2,137	17,557
lowa [1]	698,557	994,300	-	1,329	8,685
Kansas [4]	505,132	463,909	375,196		8,412
Kentucky	477,612	631,497	1,024,965	879	8,528
Louisiana	1,182,672	162,692	817,951	2,096	16,980
Maine	311,560	359,331	151,535	1,040	6,054
Maryland	439,094	1,502,852	987,373	401	14,033
Massachusetts	1,256,443	1,521,052	852,926	1,611	13,044
Michigan [5]	2,286,764	2,741,668	529,015	4,950	35,825
Minnesota	1,380,309	1,286,660	607,304	2,581	29,785
Mississippi [1]	1,085,337	234,500	-	1,776	11,358
Missouri [1]	2,288,607	899,695	-	2,326	19,075
Montana [1]	9,497	597,912	-	43	1,592
Nebraska	417,349	485,195	51,537	1,015	7,810
Nevada	128,729	664,461	540,767	307	4,653
New Hampshire [1], [6]	554,315	253,932	-	308	
New Jersey [7]	987	4,178,875		1,549	7,603
New Mexico	142,470	323,661	456,280	883	4,165
New York	4,284,263	1,763,448	2,502,161	5,124	118,378
North Carolina	896,818	974,351	3,460,562	3,203	26,608
North Dakota [8]	91,803	183,161	87,882	128	1,607
Northern Mariana Islands [2]	3,970	12,321	8,130	11	189



State	Total In-Person Election Day Ballots Cast and Counted	Total Mailed Ballots Cast and Counted	Total In-Person Early Ballots Cast and Counted	Total Polling Places	Total Poll Workers
Ohio	2,344,886	2,135,600	1,345,715	3,651	47,761
Oklahoma	1,114,001	275,017	167,516	2,032	6,552
Oregon [9]		2,379,544		36	
Pennsylvania [10]	4,214,277	2,623,867		9,246	
Puerto Rico [11]	1,092,637	145,244	48,724	1,612	
Rhode Island [1]	198,611	318,313		500	3,594
South Carolina	1,182,726	428,704	894,078	2,091	17,135
South Dakota	208,396	122,525	93,469	573	2,675
Tennessee	766,552	216,074	2,071,168	2,066	17,831
Texas	1,707,821	982,362	8,660,809	9,604	49,441
U.S. Virgin Islands [2]	8,119	1,670	8,173	12	190
Utah	81,970	1,386,385	35,048	196	1,619
Vermont [12]	90,959	272,318	2,033	521	
Virginia [13]	1,657,228	983,907	1,798,050	2,587	30,403
Washington [14]		4,050,981	183	66	
West Virginia	396,926	142,191	256,113	1,421	8,324
Wisconsin [15]	1,337,269	1,298,346	651,791	2,467	
Wyoming	135,426	85,454	55,903	187	2,137
U.S. Total	47,148,389	69,486,966	41,266,229	132,556	775,101

Overview Table 1 Calculation Notes:

Total Jurisdictions uses a count of Federal Information Processing Standards (FIPS) code by state.

Total Active Registered Voters uses question A1b.

Total CVAP uses the 2019 1-year estimate of the CVAP from the U.S. Census Bureau.

Total Voter Turnout uses question F1a.

Turnout as % of Active Registration uses question F1a divided by A1b.

Turnout as % of CVAP uses question F1a divided by the CVAP estimate.

Total In-Person Election Day Ballots Cast and Counted uses question F1b.

Total Mailed Ballots Cast and Counted uses the sum of questions F1d and F1g.

Total In-Person Early Ballots Cast and Counted uses question F1f.

Total Polling Places uses the sum of questions D3a and D4a.

Total Poll Workers uses question D7a.

Overview Table 1 Data Notes:

General Notes:

Casewise deletion at the state level was used in calculating national percentages. The percentage
calculations at the national level (U.S. Total) only used data from those states that provided data
for the numerator and denominator of the calculation. For example, since there was no CVAP
estimate for most U.S. territories, their turnout data (F1a) were not used for the calculation of
"Turnout as % of CVAP" at the national level.

- The CVAP is an estimate of the number of U.S. citizens 18 years of age or older in the state. This report used the 1-year American Community Survey (ACS) state estimate for 2019 instead of the 5-year estimate to ensure that the CVAP was as current as possible. The estimate for the year 2020 was not available by the time this report was finalized. The 2019 1-year CVAP does not include data that were collected as part of the decennial Census conducted in 2020. Some states may have reported more active registered voters than CVAP because the 2019 CVAP is being compared to 2020 data.
- The Total Voter Turnout column includes voters who cast a ballot that was counted. The Total Mailed Ballots Cast and Counted column does not include UOCAVA voters.
- [1] Alabama, Connecticut, Iowa, Missouri, Mississippi, Montana, New Hampshire, and Rhode Island did not report data in F1f, because the number of in-person early voters could not be tracked separately from other modes of participation.
- [2] American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands did not have a CVAP available to use for the turnout as a percentage of CVAP calculation.
- [3] For Hawaii, the numbers reported for the City and County of Honolulu include all mailed ballot envelopes received and validated by the county. Certified turnout results were determined through subsequent ballot envelope processing and counting by the State of Hawaii, pursuant to Hawaii State Law.
- [4] Kansas did not provide data on polling places.
- [5] Michigan noted in its survey comments that "walk-in absentee voting prior to Election Day is considered early voting in [Michigan]. These absentee ballots are not tabulated until Election Day." Data on these walk-in absentee voters was reported in F1f.
- [6] New Hampshire provided information on the minimum number of early voting and Election Day poll workers required by law but noted that it may not reflect the number of poll workers actually deployed.
- [7] New Jersey did not report data in F1f, because the state did not offer in-person early voting.
- [8] North Dakota does not have voter registration.
- [9] Oregon is a vote-by-mail state and does not have traditional early voting or traditional polling places.
- [10] Pennsylvania reported that the state cannot systematically track data on poll workers.
- [11] Puerto Rico reported that data on poll workers are not available and that poll workers were volunteers, not PR-SEC employees (the abbreviation was not defined by the state).
- [12] Vermont did not provide data on the number of poll workers. Prior to this report being finalized, Vermont provided updated statewide totals for most items in F1 but was unable to provide jurisdiction-level data that could be incorporated into the EAVS. The statewide vote totals are:
 - Total number of voters who cast a ballot that was counted (F1a): 371,452
 - Voters who cast a ballot at a physical polling place on Election Day and whose ballots were counted (F1b): 91,079
 - UOCAVA voters who cast a ballot via an absentee ballot or FWAB and whose ballots were counted (F1c): 2,719
 - Voters who cast a mailed ballot and whose ballots were counted (F1d): 225,621
 - Voters who cast a ballot at an in-person early voting location and whose ballots were counted (F1f): 2,033
- [13] Before this report's finalization, Virginia notified the EAC that the statewide number of early voting polling places in D4a was 208, not 133.
- [14] Washington is a vote-by-mail state. Voters can register and vote on or before Election Day. The total in F1g (voters who cast a mailed ballot in a jurisdiction that conducts elections entirely by mail and whose ballots were counted) includes in-person voters that were issued a mailed ballot packet at a voting center



that they could deposit into a ballot drop box or mail. Totals in F1f (voters who cast a ballot at an in-person early voting location and whose ballots were counted) include voters who used a disability access unit. [15] The number of jurisdictions in Wisconsin changed several times over the two-year period covered by the 2020 EAVS due to incorporations, mergers, and similar mechanisms. Wisconsin canvass data tracks individual contests, and therefore, the total ballots cast in any election is highly unlikely to match the total votes cast in any one contest. Wisconsin voters are not required to vote in each contest on the ballot and undervotes are the likely cause of total ballots cast data being higher than the number of votes in a contest.

Overview Table 2: Voter Turnout by Mail

State	Total Mail Voters	% Turnout by Mail	Total Mailed Ballots Transmitted	Total Mailed Ballots Returned	% Mailed Ballots Returned
Alabama [1]	300,684	12.9	170,616	158,321	92.8
Alaska	92,471	25.6	121,223	97,344	80.3
American Samoa	905	7.6	911	911	100.0
Arizona	2,931,175	85.7	3,529,586	2,938,896	83.3
Arkansas	84,910	7.0	120,369	117,555	97.7
California	14,515,783	81.9	23,228,899	15,398,923	66.3
Colorado	3,092,904	93.1	3,904,381	3,122,440	80.0
Connecticut	667,403	35.8	832,542	673,899	80.9
Delaware	161,135	31.3	187,360	163,234	87.1
District of Columbia	229,459	66.2	416,660	235,486	56.5
Florida	4,546,896	40.8	6,065,500	4,750,645	78.3
Georgia [2]	1,311,361	26.1	1,759,036	1,316,165	74.8
Guam	108	0.4	193	129	66.8
Hawaii	548,636	94.6	748,944	551,383	73.6
Idaho [3]	345,636	39.3	407,323	344,893	84.7
Illinois	2,037,583	33.2	2,233,578	2,013,990	90.2
Indiana	535,942	17.3	547,602	538,860	98.4
Iowa	994,300	58.5	1,050,593	997,652	95.0
Kansas [4]	463,909	33.6	362,948	295,021	81.3
Kentucky	631,497	29.4	666,472	634,595	95.2
Louisiana	162,692	7.5	218,057	163,656	75.1
Maine	359,331	43.7	373,478	362,594	97.1
Maryland	1,502,852	49.1	1,699,070	1,505,791	88.6
Massachusetts	1,521,052	41.6	1,679,267	1,531,001	91.2
Michigan	2,741,668	49.1	3,009,891	2,762,148	91.8
Minnesota	1,286,660	39.1	1,545,345	1,295,908	83.9
Mississippi	234,500	17.6	247,855	239,488	96.6
Missouri	899,695	28.1	935,659	905,132	96.7
Montana	597,912	97.7	704,040	599,505	85.2
Nebraska	485,195	50.2	508,049	486,844	95.8
Nevada	664,461	47.2	1,833,795	670,091	36.5
New Hampshire	253,932	31.2	263,447	255,935	97.1
New Jersey	4,178,875	93.0	6,053,283	4,228,687	69.9
New Mexico	323,661	34.9	373,548	339,906	91.0
New York	1,763,448	20.3	2,366,172	1,832,724	77.5
North Carolina	974,351	17.6	1,350,883	981,816	72.7
North Dakota	183,161	50.3	214,506	183,544	85.6



State	Total Mail Voters	% Turnout by Mail	Total Mailed Ballots Transmitted	Total Mailed Ballots Returned	% Mailed Ballots Returned
Northern Mariana Islands [5]	12,321	92.3	1,670	1,670	100.0
Ohio	2,135,600	35.7	2,314,198	2,144,504	92.7
Oklahoma	275,017	17.6	344,600	280,106	81.3
Oregon	2,379,544	99.3	2,924,063	2,397,091	82.0
Pennsylvania	2,623,867	37.6	3,120,999	2,653,688	85.0
Puerto Rico [6]	145,244	11.2	22,403	22,402	100.0
Rhode Island	318,313	61.3	318,313	318,426	100.0
South Carolina	428,704	17.0	447,697	430,229	96.1
South Dakota	122,525	28.7	132,529	123,406	93.1
Tennessee	216,074	7.0	229,768	218,149	94.9
Texas	982,362	8.6	1,208,665	988,364	81.8
U.S. Virgin Islands	1,670	9.2	1,846	1,682	91.1
Utah	1,386,385	89.9	1,752,928	1,396,681	79.7
Vermont	272,318	74.0	313,193	273,784	87.4
Virginia	983,907	21.9	1,099,502	990,198	90.1
Washington	4,050,981	98.4	5,042,956	4,082,581	81.0
West Virginia	142,191	17.7	150,202	142,445	94.8
Wisconsin [7]	1,298,346	39.2	1,441,825	1,305,082	90.5
Wyoming	85,454	30.7	89,540	85,627	95.6
U.S. Total	69,486,966	43.1	90,687,978	70,551,227	77.8

	Mailed Ball	ots Counted	Mailed Ballots Rejected		
State	Total	% of Returned	Total	% of Returned	
Alabama [1]					
Alaska	96,701	99.3	643	0.7	
American Samoa	905	99.3	6	0.7	
Arizona	2,931,164	99.7	7,732	0.3	
Arkansas	84,232	71.7	7,561	6.4	
California	15,305,243	99.4	92,924	0.6	
Colorado	3,092,904	99.1	29,536	0.9	
Connecticut	667,403	99.0	6,496	1.0	
Delaware	161,135	98.7	2,099	1.3	
District of Columbia	234,758	99.7	728	0.3	
Florida	4,740,149	99.8	13,919	0.3	
Georgia [2]	1,311,361	99.6	4,804	0.4	
Guam	108	83.7	21	16.3	
Hawaii	548,636	99.5	2,747	0.5	
Idaho [3]	352,641	102.2	3,613	1.0	
Illinois	1,986,445	98.6	33,853	1.7	
Indiana	535,942	99.5	2,918	0.5	
Iowa	994,300	99.7	2,592	0.3	
Kansas [4]	24,924	8.4	1,361	0.5	
Kentucky	631,497	99.5	3,101	0.5	
Louisiana	161,292	98.6	2,364	1.4	
Maine	359,331	99.1	1,326	0.4	
Maryland	1,502,852	99.8	2,939	0.2	
Massachusetts	1,521,052	99.4	9,949	0.6	
Michigan	2,741,668	99.3	20,480	0.7	
Minnesota	1,286,660	99.3	9,248	0.7	
Mississippi	233,925	97.7	5,563	2.3	
Missouri	899,695	99.4	5,437	0.6	
Montana	597,912	99.7	1,593	0.3	
Nebraska	485,195	99.7	1,649	0.3	
Nevada	664,461	99.2	5,630	0.8	
New Hampshire	253,932	99.2	2,003	0.8	
New Jersey	4,178,875	98.8	49,812	1.2	
New Mexico	328,631	96.7	17,008	5.0	
New York	1,763,448	96.2	66,746	3.6	
North Carolina	974,351	99.2	7,465	0.8	
North Dakota	183,152	99.8	392	0.2	
Northern Mariana Islands [5]	1,193	71.4	144	8.6	



	Mailed Ball	ots Counted	Mailed Ballots Rejected		
State	Total	% of Returned	Total	% of Returned	
Ohio	2,135,600	99.6	8,904	0.4	
Oklahoma	275,017	98.2	5,089	1.8	
Oregon	2,379,544	99.3	17,547	0.7	
Pennsylvania	2,619,517	98.7	34,171	1.3	
Puerto Rico [6]	22,402	100.0			
Rhode Island	318,313	100.0	113	0.0	
South Carolina	425,701	98.9	4,528	1.1	
South Dakota	122,525	99.3	789	0.6	
Tennessee	216,074	99.0	2,090	1.0	
Texas	982,362	99.4	8,304	0.8	
U.S. Virgin Islands	1,670	99.3	12	0.7	
Utah	1,386,385	99.3	10,296	0.7	
Vermont	272,318	99.5	1,465	0.5	
Virginia	983,907	99.4	6,291	0.6	
Washington	4,051,164	99.2	31,417	0.8	
West Virginia	142,191	99.8	254	0.2	
Wisconsin [7]	1,302,101	99.8	2,981	0.2	
Wyoming	85,454	99.8	173	0.2	
U.S. Total	69,560,318	98.8	560,826	0.8	

Overview Table 2 Calculation Notes:

Total Mail Voters uses the sum of questions F1d and F1g.

% Turnout by Mail uses the sum of questions F1d and F1g divided by question F1a.

Total Mailed Ballots Transmitted uses question C1a.

Total Mailed Ballots Returned uses question C1b.

% Mailed Ballots Returned uses question C1b divided by question C1a.

Mailed Ballots Counted, Total uses question C3a.

Mailed Ballots Counted, % of Returned uses question C3a divided by question C1b.

Mailed Ballots Rejected, Total uses question C4a.

Mailed Ballots Rejected, % of Returned uses question C4a divided by question C1b.

Overview Table 2 Data Notes:

General Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from those states that provided data
 for the numerator and denominator of the calculation.
- Because each percentage was calculated independently, the percentages of mailed ballots counted and rejected may not sum to 100% for some states or at the national level.
- The Total Mail Voters column reflects the number of voters who cast a ballot by mail that was counted. It does not include voters who cast a UOCAVA ballot or FWAB.

- The Total Mailed Ballots Transmitted column captures the total number of mailed ballots that states reported transmitting, regardless of whether the ballot was returned or not. The number of ballots transmitted typically exceeds the number of ballots returned because some voters who transmitted a mailed ballot choose to vote by another mode or to not vote at all. Total Mailed Ballots Returned typically exceeds Total Mail Voters because some returned mailed ballots are rejected for not meeting state requirements. Mailed Ballots Counted may not match Total Mail Voters because states may have different methodologies for calculating these numbers.
- The Total Mailed Ballots Returned column includes both counted and rejected ballots that were returned to election offices.
- [1] Alabama reported mail and early in-person voting data together as the Total Mail Voters (300,684). Both are considered absentee voting; thus, the data for transmission method are commingled and cannot be reported separately.
- [2] Data on rejected mailed ballots for Georgia include rejected ballots entered by counties into the state voter registration system as of February 2021, which does not necessarily include all ballots rejected by counties.
- [3] Butte County and Valley County in Idaho responded "Data not available" to the number of mailed ballots received (C1b) but reported data for the number of mailed ballots counted (C3a). Madison County and Valley County in Idaho reported more mailed ballots counted than mailed ballots received. Because of these responses, the total number of mailed ballots counted exceeds the number of mailed ballots received at the state level for Idaho, and the percentage of returned ballots that were counted exceeds 100%.
- [4] Kansas did not provide any survey comments to explain why the data reported in the Total Mail Voters column exceeds that of the Total Mailed Ballots Transmitted column, nor why the percentage of mailed ballots counted and rejected does not sum to 100%. Some jurisdictions that reported data on Total Mail Voters did not provide data for Total Mailed Ballots Transmitted.
- [5] The Northern Mariana Islands did not provide any survey comments to explain why the data reported in the Total Mail Voters column exceeds that of the Total Mailed Ballots Transmitted column, nor why the percentages of mailed ballots counted and rejected does not sum to 100%.
- [6] Puerto Rico reported "data not available" in question C4. In addition, this territory noted in a survey comment that the Total Mail Voters column may include ballots for non-federal elections and that its response in the Total Mail Voters and % Turnout by Mail columns includes "voters who [cast] their vote early but in their home, not in a polling location."
- [7] Local election officials in Wisconsin were still recording voter participation method at the time data was provided for this report; therefore, the Total Mail Voters data were incomplete. These data are currently available from the state.



Overview Table 3: In-Person Voting and Other Modes of Voting

State	In-Person Elec Voters		In-Person Early Voters		Provisional Voters	
	Total	%	Total	%	Total	%
Alabama [1]	2,014,242	86.5			8,840	0.4
Alaska [2]	157,220	43.5	82,451	22.8	11,509	3.2
American Samoa	10,310	86.3	455	3.8	12	0.1
Arizona	371,565	10.9	69,063	2.0	30,151	0.9
Arkansas [3]	258,836	21.4	830,561	68.6	5,082	0.4
California [4]	1,124,389	6.3	966,201	5.5	216,781	1.2
Colorado	89,789	2.7	108,856	3.3	150	0.0
Connecticut [1]	1,188,283	63.8			104	0.0
Delaware	345,809	67.2	5,236	1.0	107	0.0
District of Columbia	29,036	8.4	80,959	23.4	1,738	0.5
Florida [5]	1,942,102	17.4	4,332,912	38.9	7,169	0.1
Georgia	980,627	19.5	2,704,002	53.8	9,347	0.2
Guam	16,167	55.0	12,966	44.1	71	0.2
Hawaii	4,522	0.8	24,214	4.2	6	0.0
Idaho [6]	384,319	43.7	145,388	16.5	0	0.0
Illinois	2,049,927	33.4	2,005,711	32.7	42,003	0.7
Indiana	1,201,154	38.7	1,354,897	43.7	1,348	0.0
lowa [1]	698,557	41.1			1,293	0.1
Kansas	505,132	36.6	375,196	27.2	36,107	2.6
Kentucky	477,612	22.2	1,024,965	47.7	77	0.0
Louisiana	1,182,672	54.5	817,951	37.7	658	0.0
Maine	311,560	37.9	151,535	18.4	108	0.0
Maryland	439,094	14.4	987,373	32.3	108,478	3.5
Massachusetts [7]	1,256,443	34.3	852,926	23.3	1,724	0.0
Michigan [8]	2,286,764	41.0	529,015	9.5	77	0.0
Minnesota [6]	1,380,309	42.0	607,304	18.5		
Mississippi [1]	1,085,337	81.4			11,358	0.9
Missouri [1]	2,288,607	71.5			2,139	0.1
Montana [1]	9,497	1.6			364	0.1
Nebraska	417,349	43.2	51,537	5.3	9,998	1.0
Nevada	128,729	9.1	540,767	38.4	66,359	4.7
New Hampshire [1], [6]	554,315	68.1				
New Jersey [9]	987	0.0			293,894	6.5
New Mexico [10]	142,470	15.3	456,280	49.2	687	0.1
New York	4,284,263	49.2	2,502,161	28.8	84,884	1.0
North Carolina [11]	896,818	16.2	3,460,562	62.4	16,388	0.3
North Dakota [6]	91,803	25.2	87,882	24.1		

State		In-Person Election Day Voters		In-Person Early Voters		Provisional Voters	
	Total	%	Total	%	Total	%	
Northern Mariana Islands	3,970	29.7	8,130	60.9	24	0.2	
Ohio	2,344,886	39.3	1,345,715	22.5	126,066	2.1	
Oklahoma	1,114,001	71.2	167,516	10.7	1,986	0.1	
Oregon [12]	-			-	45	0.0	
Pennsylvania [13]	4,214,277	60.4			106,951	1.5	
Puerto Rico	1,092,637	84.3	48,724	3.8	8,977	0.7	
Rhode Island [1], [14]	198,611	38.2			2,488	0.5	
South Carolina	1,182,726	46.9	894,078	35.4	5,442	0.2	
South Dakota	208,396	48.8	93,469	21.9	65	0.0	
Tennessee	766,552	24.9	2,071,168	67.4	6,222	0.2	
Texas	1,707,821	14.9	8,660,809	75.6	37,760	0.3	
U.S. Virgin Islands	8,119	44.9	8,173	45.2	94	0.5	
Utah	81,970	5.3	35,048	2.3	31,652	2.1	
Vermont [6]	90,959	24.7	2,033	0.6	-		
Virginia	1,657,228	36.9	1,798,050	40.1	15,825	0.4	
Washington [15]	-		183	0.0	43	0.0	
West Virginia	396,926	49.5	256,113	31.9	4,222	0.5	
Wisconsin [16]	1,337,269	40.4	651,791	19.7	57	0.0	
Wyoming	135,426	48.6	55,903	20.1	15	0.0	
U.S. Total	47,148,389	30.5	41,266,229	30.6	1,316,945	0.8	



State	UOCAV	A Voters	Other	Voters
	Total	%	Total	%
Alabama [1]	5,281	0.2		
Alaska [2]	13,519	3.7	4,230	1.2
American Samoa	214	1.8		
Arizona	18,527	0.5		
Arkansas [3]	30,512	2.5	174	0.0
California [4]	93,452	0.5	923,698	5.2
Colorado	28,908	0.9		-
Connecticut [1]	7,689	0.4	-	-
Delaware	2,369	0.5	-	-
District of Columbia	5,299	1.5	-	-
Florida [5]	116,364	1.0	184,533	1.7
Georgia	18,475	0.4	-	-
Guam	65	0.2		
Hawaii	2,720	0.5	-	-
Idaho [6]	3,184	0.4		_
Illinois	24,297	0.4	-	-
Indiana	9,943	0.3	-	-
lowa [1]	5,980	0.4		-
Kansas	5,434	0.4		_
Kentucky	4,664	0.2		-
Louisiana	5,919	0.3		
Maine	5,771	0.7		
Maryland	21,806	0.7		
Massachusetts [7]	25,331	0.7	529	0.0
Michigan [8]	21,793	0.4		
Minnesota [6]	15,740	0.5		
Mississippi [1]	2,960	0.2		
Missouri [1]	11,017	0.3		
Montana [1]	4,368	0.7		
Nebraska	2,707	0.3		
Nevada	7,445	0.5		
New Hampshire [1], [6]	6,252	0.8		-
New Jersey [9]	20,903	0.5		
New Mexico [10]	5,132	0.6	284	0.0
New York	66,993	0.8		
North Carolina [11]	26,386	0.5	168,900	3.0
North Dakota [6]	1,653	0.5		
Northern Mariana Islands	0	0.0		-

State	UOCAV	A Voters	Other Voters		
	Total	%	Total	%	
Ohio	21,854	0.4			
Oklahoma	6,366	0.4			
Oregon [12]	16,534	0.7			
Pennsylvania [13]	28,014	0.4	842	0.0	
Puerto Rico	587	0.0		-	
Rhode Island [1], [14]				-	
South Carolina	12,906	0.5			
South Dakota	2,951	0.7		-	
Tennessee	14,676	0.5			
Texas	60,292	0.5		-	
U.S. Virgin Islands	8	0.0			
Utah	7,474	0.5			
Vermont [6]	2,986	0.8			
Virginia	32,328	0.7		-	
Washington [15]	64,848	1.6			
West Virginia	2,215	0.3		-	
Wisconsin [16]	13,481	0.4	7,387	0.2	
Wyoming	1,705	0.6		-	
U.S. Total	938,297	0.6	1,290,577	2.5	

Overview Table 3 Calculation Notes:

In-Person Election Day Voters, Total uses question F1b.

In-Person Election Day Voters, % uses question F1b divided by question F1a.

In-Person Early Voters, Total uses question F1f.

In-Person Early Voters, % uses question F1f divided by question F1a.

Provisional Voters, Total uses question F1e.

Provisional Voters, % uses question F1e divided by question F1a.

UOCAVA Voters, Total uses question F1c.

UOCAVA Voters, % uses question F1c divided by question F1a.

Other Voters, Total uses question F1h.

Other Voters, % uses question F1h divided by question F1a.

Overview Table 3 Data Notes:

General Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage calculations at the national level (U.S. Total) only used data from those states that provided data for the numerator and denominator of the calculation.
- Question F1f includes all voters who participated in the election in person prior to Election Day.
 This includes in-person early voting, in-person absentee voting, and any other terminology the state used to refer to in-person early voting (as reported in question Q24 of the 2020 Policy Survey).



- Question F1h was not mandatory. States only reported data in this item if they offered another mode of voting aside from those listed in questions F1b-F1g or if there were counted ballots that could not be categorized in questions F1b-F1g.
- Because each percentage was calculated independently, the percentages of turnout by mode in this table and the previous table may not sum to 100% for some states or at the national level.
- [1] Alabama, Connecticut, Iowa, Mississippi, Missouri, Montana, New Hampshire, and Rhode Island did not report data in F1f, because the number of in-person early voters could not be tracked separately from other modes of participation.
- [2] Alaska's F1h data included ballots transmitted by electronic transmission (online or fax) delivery.
- [3] Arkansas's F1h data included nursing home patients who refused their ballots and votes by bearer, "admin," or delivered by another person.
- [4] California's F1h data included conditional voter registration (CVR) voters, SDR voters, manual voter history updates, "confidentials," mailed ballots from domestic and UOCAVA voters that could not be separated by mode, and other counted ballots not reported in other F1 items.
- [5] Two counties in Florida—Duval and Indian River counties—combined their reported number of UOCAVA and domestic mailed ballots in F1h in lieu of reporting them separately within F1c and F1d, respectively.
- [6] Idaho, Minnesota, New Hampshire, and Vermont are exempt from the NVRA requirement to offer provisional ballots. North Dakota is exempt from offering provisional ballots because it does not require voter registration.
- [7] Massachusetts's F1h data included "non-UOCAVA AV [absentee voting] ballots not returned by mail."
- [8] Michigan's data in the In-Person Early Voters columns reflect those who voted absentee at the local clerk's office prior to Election Day.
- [9] New Jersey did not report data in F1f because the state did not offer in-person early voting.
- [10] New Mexico's F1h data included ballots cast because of "emergency (medical reasons)."
- [11] North Carolina's F1h data included curbside absentee voters.
- [12] Oregon is a vote-by-mail state and traditional early voting does not exist.
- [13] Pennsylvania reported that the state cannot systematically track data on poll workers. Pennsylvania's F1h data included ballots for which "vote method not identified in the system."
- [14] Rhode Island reported that data for question F1c is unavailable.
- [15] Washington is a vote-by-mail state. Voters can register and vote on or before Election Day. Totals in F1f (voters who cast a ballot at an in-person early voting location and whose ballots were counted) include voters who used a disability access unit.
- [16] Wisconsin reported that state statute does not require the state to track data on poll workers. Wisconsin's F1h data included ballots for which voter method data was not yet available.

Overview Table 4: Polling Places and Poll Workers

	Total	Total Poli	ing Places	Total Pol	l Workers
State	Precincts	Election Day	Early Voting	Election Day	Early Voting
Alabama [1]	2,111	1,976	69	16,028	
Alaska [2]	441	420	164	2,817	260
American Samoa	41	41	1	0	256
Arizona	1,494	767	161	7,409	1,091
Arkansas	2,519	11,055	9,834	6,440	2,379
California	20,497	3,704	1,951	46,762	25,680
Colorado [3]	3,215	341	301	7,185	7,185
Connecticut [1], [4]	718	718		3,590	
Delaware	439	264	3	3,157	3
District of Columbia	144	95	32	2,407	2,549
Florida	6,128	4,433	425	42,247	11,173
Georgia [2]	2,648	2,419	336	22,401	5,073
Guam	67	22	5	485	48
Hawaii [2], [5]	250	8	8	64	64
Idaho	948	722	32	5,532	303
Illinois [2]	10,075	17,169	2,515	43,299	3,412
Indiana	5,169	1,835	302	15,313	2,211
lowa [1]	1,681	1,329	-	8,632	1,003
Kansas [6]	2,601			5,789	1,120
Kentucky	3,692	682	197	7,947	4,658
Louisiana [2], [7]	3,934	1,991	105	16,980	
Maine [8]	551	520	520	6,054	
Maryland [9]	1,991	320	81	12,469	8,210
Massachusetts [2], [10]	2,173	1,220	391	13,044	
Michigan [11]	4,751	3,367	1,583	35,825	0
Minnesota [2]	4,110	2,344	237	28,646	1,139
Mississippi [1]	1,776	1,776		11,358	
Missouri [1]	4,373	2,326		19,075	
Montana	663	21	22	1,592	1,427
Nebraska	1,379	922	93	7,695	115
Nevada	1,990	217	90	2,692	2,200
New Hampshire [1], [2]	340	308		3,576	
New Jersey [2], [12]	6,346	1,549		7,603	
New Mexico	1,949	664	219	3,631	953
New York	15,551	4,838	286	73,198	15,065
North Carolina [13]	2,663	2,752	451	24,742	12,310



	Total	Total Poli	ing Places	Total Pol	Workers
State	Precincts	Election Day	Early Voting	Election Day	Early Voting
North Dakota [2], [14]	422	110	18		
Northern Mariana Islands [2]	7	7	4	135	54
Ohio [15]	8,933	3,563	88	47,761	0
Oklahoma	1,950	1,950	82	5,993	559
Oregon [16]	1,328	36			
Pennsylvania [2], [17]	9,158	9,155	91		
Puerto Rico [2], [18]	1,365	1,259	353		
Rhode Island [2]	461	461	39	3,516	78
South Carolina [19]	2,262	1,975	116	16,618	517
South Dakota	715	506	67	2,562	177
Tennessee	1,961	1,852	214	16,641	2,757
Texas	9,949	6,580	3,024	41,092	17,740
U.S. Virgin Islands [2]	12	9	3	150	40
Utah	2,943	123	73	2,015	521
Vermont [2], [20]	275	275	246		
Virginia [21]	2,454	2,454	133	27,984	2,419
Washington [22]	7,436		66		-
West Virginia	1,706	1,361	60	8,143	271
Wisconsin [23]	3,698	2,467			-
Wyoming	480	179	8	2,052	85
U.S. Total	176,933	107,457	25,099	690,346	135,105

			Poll Work	cers' Ages		
State	% Age <18	% Age 18-25	% Age 26-40	% Age 41-60	% Age 61–70	% Age 71+
Alabama [1]	2.5	2.9	7.9	25.7	31.4	29.6
Alaska [2]						
American Samoa	0.0	20.7	25.4	42.6	11.3	0.0
Arizona	1.1	4.4	12.3	27.7	30.3	24.1
Arkansas	0.7	4.3	6.8	21.8	36.3	30.0
California	12.7	9.5	22.8	30.4	16.3	8.3
Colorado [3]	6.8	3.6	8.9	24.5	32.7	23.5
Connecticut [1], [4]						
Delaware	3.6	6.7	11.7	32.1	29.9	15.9
District of Columbia	1.8	8.8	49.6	24.6	11.4	3.7
Florida	0.9	4.3	10.8	30.5	29.9	23.6
Georgia [2]						
Guam	0.0	24.5	25.8	32.3	9.0	8.4
Hawaii [2], [5]						
Idaho	5.3	4.4	8.6	21.4	39.3	21.0
Illinois [2]						
Indiana	4.3	7.0	17.4	31.7	24.1	15.4
lowa [1]	0.3	3.9	10.9	25.8	34.1	24.9
Kansas [6]	4.0	3.9	12.9	24.4	29.6	25.1
Kentucky	0.2	6.2	13.2	37.4	26.5	16.4
Louisiana [2], [7]						
Maine [8]	0.6	4.4	11.4	33.0	31.8	18.7
Maryland [9]	2.8	6.6	13.8	41.3	25.0	10.5
Massachusetts [2], [10]	-	-		-	-	-
Michigan [11]	3.9	3.8	6.6	22.9	33.6	29.1
Minnesota [2]		-			-	
Mississippi [1]	0.0	0.0	0.0	5.0	50.2	44.8
Missouri [1]	5.4	6.1	10.1	24.2	30.5	23.8
Montana	0.0	2.0	7.5	27.8	35.7	27.0
Nebraska	1.1	4.1	17.0	31.1	26.3	20.4
Nevada	4.1	10.0	14.0	27.5	25.1	19.3
New Hampshire [1], [2]	-		-		-	-
New Jersey [2], [12]	-	-		-		-
New Mexico	2.8	6.7	11.6	27.9	30.1	20.9
New York	0.4	8.5	22.2	29.7	22.1	17.1
North Carolina [13]	2.9	4.6	11.7	30.3	31.3	19.2
North Dakota [2], [14]						-



	Poll Workers' Ages						
State	% Age <18	% Age 18-25	% Age 26-40	% Age 41-60	% Age 61-70	% Age 71+	
Northern Mariana Islands [2]							
Ohio [15]	2.1	5.4	14.1	32.1	28.6	17.8	
Oklahoma	0.0	2.1	6.3	18.5	31.6	41.4	
Oregon [16]							
Pennsylvania [2], [17]		-					
Puerto Rico [2], [18]							
Rhode Island [2]		-					
South Carolina [19]							
South Dakota	0.0	1.3	7.6	21.2	38.4	31.6	
Tennessee	3.6	4.4	9.2	23.8	32.7	26.3	
Texas	6.7	9.5	14.4	27.9	26.0	15.5	
U.S. Virgin Islands [2]							
Utah	1.2	11.7	25.3	40.9	15.8	5.2	
Vermont [2], [20]							
Virginia [21]							
Washington [22]							
West Virginia	0.0	5.3	13.1	30.1	28.6	22.8	
Wisconsin [23]							
Wyoming	1.3	3.0	9.7	24.5	38.2	23.3	
U.S. Total	3.2	6.2	15.0	28.4	27.3	20.1	

Overview Table 4 Calculation Notes:

Total Precincts uses question D2a.

Total Polling Places, Election Day uses question D3a.

Total Polling Places, Early Voting uses question D4a.

Total Poll Workers, Election Day uses question D5.

Total Poll Workers, Early Voting uses question D6.

Poll Workers % Age <18 uses question D7b divided by the sum of questions D7b-D7g.

Poll Workers % Age 18-25 uses question D7c divided by the sum of questions D7b-D7g.

Poll Workers % Age 26–40 uses question D7d divided by the sum of questions D7b–D7g.

Poll Workers % Age 41-60 uses question D7e divided by the sum of questions D7b-D7g.

Poll Workers % Age 61-70 uses question D7f divided by the sum of questions D7b-D7g.

Poll Workers % Age 71+ uses question D7g divided by the sum of questions D7b-D7g.

Overview Table 4 Data Notes

General Notes:

• Casewise deletion at the state level was used in calculating national percentages. The percentage calculations at the national level (U.S. Total) only used data from those states that provided data for the numerator and denominator of the calculation.

- Because percentages for each age category were calculated independently, the percentages for each age category may not sum to 100% for some states or at the national level.
- In calculating percentages for poll worker age categories, the sum of questions D7b–D7g was used instead of D7a because some states did not report data in all age categories.
- [1] Alabama, Connecticut, Iowa, Mississippi, Missouri, and New Hampshire did not report complete data on early voting because some of this data could not be tracked separately from Election Day voting data.
- [2] Alaska, Georgia, Hawaii, Illinois, Louisiana, Massachusetts, Minnesota, New Hampshire, New Jersey, North Dakota, the Northern Mariana Islands, Pennsylvania, Puerto Rico, Rhode Island, the U.S. Virgin Islands, and Vermont do not track data on the ages of their poll workers.
- [3] Colorado did not distinguish between early voting and Election Day voting in collecting information on poll workers. Because Colorado counties automatically mail ballots to every active voter and most voters choose to vote the mail ballot, a large number of poll workers are needed to process the mail ballots. That work begins in the early voting period and continues through Election Day and the eight-day post-election period when military and overseas voters can return their ballot and voters with signature or ID issues can cure their ballots.
- [4] Connecticut provided data on the total number of poll workers in question D7a but was unable to provide the age breakdown in questions D7b-D7g.
- [5] In Hawaii, in-person voting locations are called Voter Service Centers and provide accessible in-person voting, SDR, and collection of voted ballots.
- [6] Kansas did not report data on the number of polling places in questions D3 and D4.
- [7] Louisiana reported both its early voting and Election Day poll workers in question D5.
- [8] Maine reported that data on the number of early voting poll workers in question D6 was not available.
- [9] The number of Election Day voting locations in Maryland for the 2020 general election was greatly reduced due to the COVID-19 pandemic and the lack of poll workers. The 320 Election Day voting locations reported in D3a all served as county-wide vote centers. In a typical election, the number of Election Day polling places generally corresponds to the numbers of precincts, and each polling place only serves the precinct(s) assigned to it.
- [10] Massachusetts reported that "Those who worked early voting were not called 'poll workers' and varied each day of early voting."
- [11] Michigan reported data in D4 and noted that "early voting takes place at a clerk's office or their satellite offices for in-person absentee voting only." All Michigan jurisdictions reported zero for the number of early voting poll workers in D6; regular office staff operated clerk's offices and satellite locations.
- [12] New Jersey did not report data in questions D4a nor D6 because the state did not offer in-person early voting.
- [13] Precinct, polling place, and early voting site counts are based on data that election officials entered into North Carolina's Statewide Election Information Management System (SEIMS) and may be marginally different than the number of sites that were actually open during early voting and Election Day voting.
- [14] North Dakota provided data on the total number of poll workers in question D7a but was unable to provide the totals for Election Day and early voting poll workers in questions D5 and D6 or the age breakdown in questions D7b-D7g.
- [15] Ohio reported zero early voting poll workers with a comment that regular office staff operated the early voting sites.
- [16] Oregon is a vote-by-mail state and does not have or track traditional poll workers for in-person voting. [17] Pennsylvania provides in-person absentee and mail-in voting at county election offices and satellite county election offices. Absentee and mail-in ballots cast in person are secured until Election Day to be tabulated by the county board of elections. Pennsylvania reported that the state cannot systematically track data on poll workers.



- [18] Puerto Rico reported that data on poll workers are not available and that poll workers were volunteers, not PR-SEC employees.
- [19] South Carolina only reported poll workers who were under the age of 18 and did not provide data for any other age categories. South Carolina's data on poll worker ages has been excluded from this table.
- [20] Vermont did not provide data on the number of poll workers.
- [21] Virginia does not capture or track information on the age of poll workers. Before this report's finalization, Virginia notified the EAC that the statewide number of early voting polling places in D4a was 208, not 133.
- [22] Washington is a vote-by-mail state and does not have traditional polling places. Washington has voting centers that are open for the entire voting period, not just a single day. Each county is required to have two certified election administrators and can hire election workers to assist with processing returned ballots.
- [23] Wisconsin state statute does not require the state to track data on early voting physical polling locations and poll workers. Partial data are available through the state.

Overview Table 5: Election Technology and Voting Methods

State	Total Number of Voting Machines	DRE witho	out VVPAT	DRE with	ı VVPAT
	Deployed	Total	%	Total	%
Alabama	4,864				
Alaska	758	-		152	20.1
American Samoa [1]				-	
Arizona	1,539	-		19	1.2
Arkansas	4,480	76	1.7	92	2.1
California	33,163			23	0.1
Colorado	1,851				
Connecticut	2,154			-	
Delaware	1,057			1,050	99.3
District of Columbia	694				
Florida	14,015			67	0.5
Georgia	30,824				
Guam	11			-	
Hawaii	292			276	94.5
Idaho	1,506			72	4.8
Illinois	20,043			2,215	11.1
Indiana	14,868	5,775	38.8	956	6.4
Iowa	2,874				
Kansas [2]	5,871	43	0.7	4,700	80.1
Kentucky	4,246	528	12.4	570	13.4
Louisiana	9,828	9,747	99.2		
Maine [3]	1,088				
Maryland	3,651				
Massachusetts	4,386				
Michigan	8,118				
Minnesota	5,710				
Mississippi	7,048	5,820	82.6	20	0.3
Missouri	5,346			330	6.2
Montana	248		-		
Nebraska	1,422		-		
Nevada	5,765			5,646	97.9
New Hampshire	652				
New Jersey	2,207	1,495	67.7	632	28.6
New Mexico	1,461				
New York	18,792				
North Carolina	9,468				
North Dakota	524				



State	Total Number of Voting Machines	DRE witho	out VVPAT	DRE with	ı VVPAT
	Deployed	Total	%	Total	%
Northern Mariana Islands [4]	4			-	
Ohio	25,164			7,028	27.9
Oklahoma	2,263				
Oregon [5]					
Pennsylvania	24,413				
Puerto Rico	6,075				
Rhode Island	612		-	-	
South Carolina	16,873				
South Dakota	630		-	-	
Tennessee	9,199	5,483	59.6		
Texas	42,151	20,978	49.8	2,211	5.2
U.S. Virgin Islands	80				-
Utah	41	-	-	-	-
Vermont [6]	530				
Virginia [7]	4,057		-	-	
Washington	186				
West Virginia	5,401		-	1,887	34.9
Wisconsin [8]					
Wyoming	863	-	-	-	-
U.S. Total	369,366	49,945	13.5	27,946	7.6

State	Ballot Marking Devices		Scann	iers	Hand Counting (Total	
	Total	%	Total	%	Jurisdictions)	
Alabama	2,044	42.0	2,820	58.0	0	
Alaska	289	38.1	317	41.8	1	
American Samoa [1]					1	
Arizona	1,093	71.0	427	27.7	1	
Arkansas	3,373	75.3	939	21.0	5	
California	31,770	95.8	1,370	4.1	0	
Colorado	1,668	90.1	183	9.9	1	
Connecticut	-	-	2,154	100.0	0	
Delaware			7	0.7	3	
District of Columbia	562	81.0	132	19.0	0	
Florida	4,723	33.7	9,225	65.8	0	
Georgia	27,078	87.8	3,746	12.2	0	
Guam	8	72.7	3	27.3	0	
Hawaii		-	16	5.5	0	
ldaho	881	58.5	553	36.7	12	
Illinois	9,313	46.5	8,515	42.5	0	
Indiana	4,807	32.3	3,330	22.4	0	
lowa	1,402	48.8	1,472	51.2	0	
Kansas [2]			1,128	19.2		
Kentucky	564	13.3	2,584	60.9	3	
Louisiana			81	0.8	0	
Maine [3]	496	45.6	592	54.4	187	
Maryland	1,729	47.4	1,922	52.6	0	
Massachusetts	2,173	49.5	2,213	50.5	58	
Michigan	3,367	41.5	4,751	58.5	0	
Minnesota	2,794	48.9	2,916	51.1	2	
Mississippi	507	7.2	701	9.9	0	
Missouri	2,402	44.9	2,614	48.9	1	
Montana	136	54.8	112	45.2	10	
Nebraska	1,265	89.0	157	11.0	0	
Nevada	80	1.4	39	0.7	0	
New Hampshire	310	47.5	342	52.5	123	
New Jersey		-	80	3.6	0	
New Mexico	-		1,461	100.0	33	
New York	7,768	41.3	11,024	58.7	62	
North Carolina	6,001	63.4	3,467	36.6	0	
North Dakota	260	49.6	264	50.4	0	
Northern Mariana Islands [4]			4	100.0	0	



State	Ballot Marking Devices		Scanners		Hand Counting (Total	
	Total	%	Total	%	Jurisdictions)	
Ohio	12,510	49.7	5,626	22.4	0	
Oklahoma			2,263	100.0	0	
Oregon [5]					0	
Pennsylvania	10,860	44.5	13,553	55.5	0	
Puerto Rico			6,075	100.0	1	
Rhode Island	78	12.7	534	87.3	0	
South Carolina	14,129	83.7	2,744	16.3	0	
South Dakota	533	84.6	97	15.4	0	
Tennessee	2,205	24.0	1,511	16.4	11	
Texas	15,250	36.2	3,712	8.8	15	
U.S. Virgin Islands	50	62.5	30	37.5	0	
Utah	29	70.7	12	29.3	0	
Vermont [6]	312	58.9	218	41.1	101	
Virginia [7]			4,057	100.0	0	
Washington	108	58.1	78	41.9	0	
West Virginia	2,743	50.8	771	14.3	0	
Wisconsin [8]					705	
Wyoming	496	57.5	367	42.5	0	
U.S. Total	178,166	48.2	113,309	30.7	1,336	

Overview Table 5 Calculation Notes:

Total Number of Voting Machines Deployed uses the sum of questions F5c_1, F5c_2, F5c_3, F6c_1, F6c_2, F6c_3, F7c_1, F7c_2, F7c_3, F8c_1, F8c_2, F8c_3, F9c_1, F9c_2, F9c_3, F10c_1, F10c_2, and F10c_3.

DRE without WPAT, Total uses the sum of questions F5c_1, F5c_2, and F5c_3.

DRE without WPAT, % uses the sum of questions F5c_1, F5c_2, and F5c_3 divided by the total number of voting machines deployed (Column 1).

DRE with VVPAT, Total uses the sum of questions F6c_1, F6c_2, and F6c_3.

DRE with VVPAT, % uses the sum of questions F6c_1, F6c_2, and F6c_3 divided by the total number of voting machines deployed (Column 1).

Ballot Marking Devices, Total uses the sum of questions F7c_1, F7c_2, and F7c_3.

Ballot Marking Devices, % uses the sum of questions F7c_1, F7c_2, and F7c_3 divided by the total number of voting machines deployed (Column 1).

Scanner, Total uses the sum of questions F8c_1, F8c_2, and F8c_3.

Scanner, % uses the sum of questions F8c_1, F8c_2, and F8c_3 divided by the total number of voting machines deployed (Column 1).

Hand Counting (Total Jurisdictions) uses a count of the number of jurisdictions in each state that responded "yes" to question F11a.

Overview Table 5 Data Notes:

General Notes:

- Although other descriptive tables in this chapter used casewise deletion at the state level in
 calculating percentages, this table did not. When a state reported not using a type of equipment,
 the number of devices of that type was filled with zero to better capture at the national level the
 quantity and percentage that each voting technology accounted for in the 2020 general election.
- [1] American Samoa reported only hand counting ballots in the 2020 general election.
- [2] Kansas did not respond to question F7a on the use of BMDs or question F11a on the use of hand counting.
- [3] The data depicted in this table for Maine underreported the number of BMDs (accessible voting solution) deployed by the state's jurisdictions. Each voting place was provided with at least one BMD, and some larger jurisdictions used multiple devices. In the data previously provided to the EAC, Maine reported that each jurisdiction used only one device. The actual number of devices deployed statewide was 527.
- [4] The Northern Mariana Islands reported using BMDs in question F7a and provided a description of "pencils."
- [5] Oregon reported in question F8a that each of its jurisdictions used scanners, but for the purposes of this report, data on the number of scanners deployed was not tracked.
- [6] Vermont provided a response of "valid skip" for all jurisdictions in question F6a and provided a response of "does not apply" for 41.1% of its jurisdictions in question F8a.
- [7] Virginia reported using BMDs in all 133 of its jurisdictions, but initially did not report jurisdiction-level data on the number of BMDs deployed. Before this report's finalization, Virginia notified the EAC that the statewide number of BMDs in F7c_1, F7c_2, and F7c_3 was 2,533.
- [8] Wisconsin does not permit the use of DREs without a VVPAT. Wisconsin also does not permit the use of punch card machines or lever machines. The state tracks the machine types employed in each jurisdiction and not the number of machines deployed in each jurisdiction.



Chapter 2. Election Law and Procedure: The Policy Survey

Key Findings

The 2020 Election Administration Policy Survey (Policy Survey) asked states to identify the election laws and procedures that govern voter registration, election technology, voter eligibility, modes of voting, and election audits in their state. Notable findings from this survey include:

- In 2020, more states reported providing Election Administration and Voting Survey (EAVS) responses at the state level for every EAVS section compared to 2018.
- Fourteen states reported conducting all-mail elections for the 2020 general election, either statewide or in certain jurisdictions. This is double the number of states from the 2018 Policy Survey, but in some cases, all-mail voting was implemented in response to the COVID-19 pandemic, and it was not a permanent change.
- More states reported having an online voter registration system in the 2020 Policy Survey (45 states) compared to in the 2018 Policy Survey (40 states). In the majority of cases, individuals can use this system to register to vote and to update their registration.
- About half of the states reported allowing non-military voters residing in the United States to receive their ballots through an electronic format, such as email, fax, through an online voter registration portal, or through a mobile phone app, under certain circumstances.
- Roughly half of the states reported allowing permanent absentee status when a Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voter registration is submitted via a Federal Post Card Application (FPCA), a decrease from 2018.
- Forty-four states reported requiring a post-election tabulation audit that verifies that voting equipment used during an election properly counts a sample of voted ballots after an election.

Introduction

Although quantitative data from state¹ and local election officials provide an important window into how the 2020 general election was run, these data must be understood in the context of state laws and policies. In 2008, the U.S. Election Assistance Commission (EAC) introduced a component of the EAVS that collects information on state election laws. Since 2018, this data has been collected through the Policy Survey, which uses closed-ended questions to capture states' broad policies. It is important to remember that state election laws are nuanced, and this report simplifies them for the purpose of providing an overview of election policies that offers important context to understanding the EAVS data. This report provides an overview and summary of the Policy Survey's findings.

¹ Throughout this report, unless otherwise specified, the term "state" can be understood to apply to the 50 U.S. states, the District of Columbia, and five U.S. territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) that submit Policy Survey and EAVS data.

Additional information about state responses is available in Appendix A of this chapter. The 2020 Policy Survey included updates to some of the 2018 items to better capture state policy nuances.

The 2020 Policy Survey collected data on states' election laws, policies, and practices that would be in place for the November 2020 general election. Most states submitted this information before the election. The Policy Survey was also used to validate 2020 EAVS data prior to states certifying their data as final. The goal of the 2020 Policy Survey was to create comparisons between states across broad policy categories and to provide context in understanding the EAVS data submitted by states. Because of the nature of the closed-ended survey questions, some of the nuances in state election policies could not be accounted for. States were encouraged to forward additional information and context behind their Policy Survey responses to allow their data to be interpreted as accurately as possible.

For further information about how the Policy Survey data were collected and used to validate EAVS data, please see Chapter 5 of this report.

Responding to the 2020 EAVS

The 2020 Policy Survey asked states to describe who provides the data to respond to the questions in each section of the EAVS: the state election office, local election offices, or both the state and local offices. Some states indicated that all sections are completed by the state election office, and some gather data for all sections from their local jurisdictions.² Many states answered certain sections at the state level and other sections at the jurisdiction level.

With the exception of sections A and F of the EAVS, roughly half of the states provided responses at the state level, whereas about one-fifth of states reported that responses are provided by local officials. For sections A and F, about 60% of states reported providing responses at the state level, and slightly less than 15% of states reported providing responses at the local level.3 Roughly onequarter to one-third of the responses for each section were provided by both state and local officials. In 2020, more states reported providing EAVS responses at the state level for every EAVS section compared to in 2018 (see Table 1).

The findings from this question illustrate the complexities that state and local election officials experience when answering the EAVS. Many states with a large number of jurisdictions reported

² What constitutes a jurisdiction for EAVS reporting is defined by how each state chose to provide data. For the 2020 EAVS, most states reported data on the county level (or county equivalent, such as parishes for Louisiana). Illinois, Maryland, Missouri, and Virginia reported data for independent cities in addition to counties. The territories, the District of Columbia, and Alaska each reported as a single jurisdiction. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and Wisconsin reported data on the township level. Maine also reported its UOCAVA data in Section B as a separate jurisdiction, because this information was only collected at the state level. Michigan reported data for the county level, but most election administration activities take place in the 1,520 local election jurisdictions in the state. ³ Information on how states answer Section A of the EAVS was collected in item Q3_1 of the Policy Survey. Information on how states answer Section B of the EAVS was collected in O3 2. Information on how states answer Section C of the EAVS was collected in Q3_3. Information on how states answer Section D of the EAVS was collected in Q3_4. Information on how states answer Section E of the EAVS was collected in Q3_5. Information on how states answer the Section F of EAVS was collected in Q3_6.

providing EAVS data entirely at the local level. Furthermore, some states reported providing EAVS data for some sections at the state level while relying on local officials for other sections.

Table 1. More States Are Providing EAVS Responses at the State Level

Number of States Providing EAVS Responses at the State Level						
EAVS Section	Number of States in 2018	Number of States in 2020				
Section A	31	34				
Section B	27	28				
Section C	27	29				
Section D	23	26				
Section E ⁴	25	28				
Section F	26	33				

Source: Information on answering the EAVS was collected in Q3 of the Policy Survey.

In almost all states, the chief state election official is responsible for certifying the state's EAVS data submission and/or receiving and certifying the spending of Help America Vote Act (HAVA) funds on behalf of the state. In 2020, 75% of states reported that the chief election official selects the state representative for and supervises local election officials' selection as representatives to the EAC Standards Board. The Standards Board consists of 55 state and 55 local election officials who assist the EAC in carrying out its mandates.5

Policies on Voter Registration and List Maintenance

The primary federal law governing voter registration in the United States is the National Voter Registration Act (NVRA), which became effective after the 1994 general election.⁶ The NVRA expands voter registration opportunities for voters by creating more standardized registration processes and by designating more places as voter registration agencies. It also requires that states conduct a uniform and nondiscriminatory general program to remove from their lists the records of individuals who are no longer eligible to vote.

Congress also passed HAVA in 2002, requiring states to adopt a computerized statewide voter registration list. That states use these registration lists to determine who is eligible to participate in elections. States also face the challenge of keeping these lists up to date, as voters commonly move

⁴ Minnesota did not provide a response to Section E of this item for the 2020 Policy Survey.

⁵ Information on the EAC-related duties of chief state election officials was collected in item Q1a of the Policy Survey. Eleven states provided additional information for cases in which another official performs these functions. The District of Columbia noted that it does not have any local election officials.

⁶ Several states are not covered by the NVRA. North Dakota is exempt because it does not have voter registration. U.S. territories are also not subject to the NVRA, and the states of Idaho, Minnesota, New Hampshire, Wisconsin, and Wyoming are exempt because they had same-day registration (SDR) in 1994 and have continued to make this option available uninterrupted since that time.

⁷ 52 U.S.C. § 21083.

to different jurisdictions or states, die, or become otherwise ineligible to vote. North Dakota is the only state that does not require voter registration.

Between 2018 and 2020, some states passed laws allowing individuals to register to vote online, register in person on Election Day, or register through an automated process. In 2020, states reported receiving a record number of registration applications. Further information on state registration data is included in Chapter 3 of this report.

Database Systems

States responded to the HAVA voter registration requirements in different ways. Some states adopted a single, central platform at the state level that connects to terminals in local jurisdictions. This type of system is typically referred to as a "top-down" voter registration system. Other states implemented a state voter registration database that gathers and aggregates information from their local jurisdictions' voter registration databases. This type of system is typically referred to as a "bottom- up" system.8 If a system has a mix of top-down and bottom-up characteristics, then it is referred to as a "hybrid" system. The specific characteristics of hybrid systems vary state by state.

The Policy Survey asks states to report the type of voter registration database they have and how often information is shared between states and local jurisdictions.9 Figure 1 shows that a majority of states (67.9%) reported having voter registration databases that function in a top-down manner.

About 20% of states reported having a bottom-up registration system that uploads jurisdiction-level information at regular intervals to form the statewide voter registration list, and only 10.7% of states reported having a hybrid system that combines elements of both. 10 In practice, these state registration system categories can be fluid. Some top-down registration systems may implement processes of the bottom-up registration system and vice versa.

States that reported having either a bottom-up or hybrid system were asked to report how often their jurisdictions transmit voter registration information to the statewide database. 11 For these two systems, real-time data transmissions were most common (reported in 58.8% of the states with bottom-up or hybrid systems), whereas 23.5% of the states reported that voter registration information is transmitted daily. 12 Texas reported that information is transmitted both ways: transmissions from "online" counties happen in real time, whereas in "offline" counties, it happens

⁸ For a bottom-up voter registration system to be considered a statewide system, the state database, the data, and the data flow must be defined, maintained, and administered by the state. U.S. Election Assistance Commission. (2005, July). Voluntary Guidance on Implementation of Statewide Voter Registration Lists. https://www.eac.gov/sites/default/files/eac assets/1/1/Implementing%20Statewide%20Voter%20Registration%20Lists.pdf.

⁹ One state did not provide a response to this item.

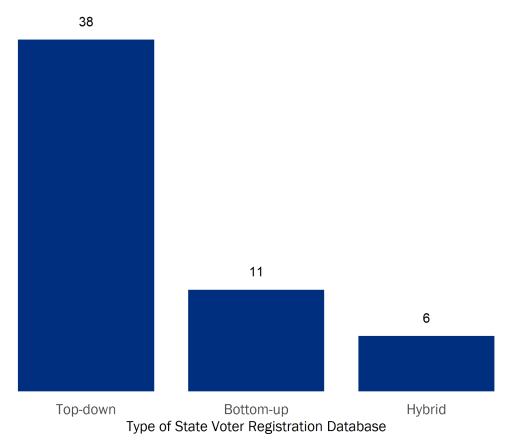
¹⁰ Information on the type of voter registration system states have was collected in item Q4 of the Policy Survey.

¹¹ Minnesota did not provide a response to this item.

¹² Information on how often local jurisdictions transmit information to the state voter registration database was collected in item Q4a of the Policy Survey.



Figure 1. Over Two-Thirds of States Have Top-Down Voter Registration Systems



Source: Information on voter registration database system type was collected in Q4 of the Policy Survey. This graph shows the number of states that reported having each type of voter registration database.

daily.¹³ Similarly, in Illinois, if the jurisdiction vendor has web services, the information is uploaded in real time, whereas a batch is sent daily from those jurisdictions without web services. The Northern Mariana Islands reported that information is retrieved upon request.

Data Linkages

Election officials must accomplish two primary activities related to voter registration: adding individuals to the database who are eligible to vote and maintaining the accuracy of the database.

A state accomplishes these goals by accessing or "linking" to other databases to verify the voter

¹³ The 2016 Statutory Overview found that several Texas jurisdictions use the Texas statewide voter registration database to directly manage registration data, and other Texas jurisdictions manage their own voter registration data using a third-party vendor. Texas refers to these as "online" and "offline" jurisdictions. Although online counties transmit information in real time through an online voter registration system, offline jurisdictions transmit information in batches through a web browser application.

¹⁴ National Research Council. 2010. *Improving State Voter Registration Databases: Final Report*. Washington, DC: The National Academies Press. https://www.eac.gov/documents/2010/5/14/improving-state-voter-registration-databases-final-report.

registration information in its database. The NVRA also outlines steps that states are required to take to keep voter registration information current and to remove ineligible voters and duplicate registrations from the voter lists. This task requires comparing voter lists to records in other databases to prevent duplicate registration records and to avoid adding individuals who are ineligible to register.¹⁵

As the National Academy of Sciences (NAS) notes, HAVA requires the chief election official in each state to attempt to verify the information for first-time voter registration applications against driver's license numbers in that state's motor vehicle licensing agency's database or against the Social Security Administration's database of social security numbers. If no match is found, election officials in most states attempt to contact the applicant for additional information, but they manage this process in various ways. HAVA requires that applicants who cannot be matched against one of these databases be allowed to vote on Election Day provided they present appropriate identification.¹⁶

The Policy Survey asks states how they share information electronically with other state and federal government entities.¹⁷ These linkages are illustrated in Figure 2. Most states reported that they link their voter registration data with the agency that handles their state's driver's licenses (85.7%) and with entities that maintain the death records (80.4%). The other most commonly reported linkages were with entities that maintain felony or prison records, such as state courts and parole agencies (62.5%). States that reported linking with the agency that handles driver's licenses most often reported transferring voter registration data daily (63.3%), followed by in real time (18.4%) and by some other measure of time that is neither weekly nor monthly (10.2%). Of the states that reported linking with entities that maintain death records, the most common type of data transfer was monthly (58.7%), followed by weekly (21.7%). States that reported linking registration data with entities that maintain felony records most often reported transferring data monthly (58.3%).¹⁸

Less commonly reported linkages included entities that maintain records of individuals who are declared mentally incompetent, state public assistance agencies, agencies for people with disabilities, other state agencies that are not required by the NVRA (e.g., public libraries or local government offices), federal agencies, and military recruiting offices.

¹⁵ Ibid.

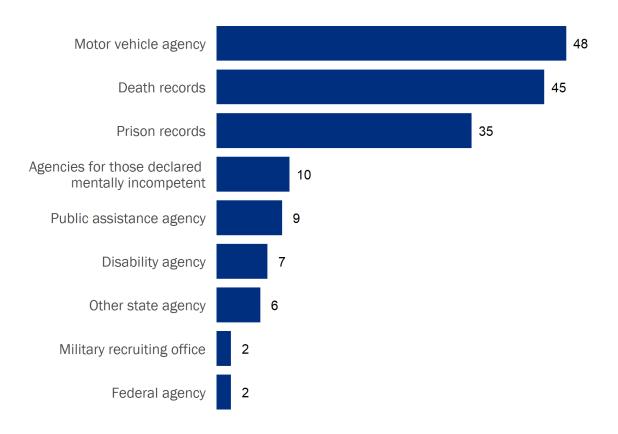
¹⁶ 52 U.S.C. § 21083.

¹⁷ Although North Dakota does not have voter registration, the state does share information electronically with other government entities and is included in these analyses.

¹⁸ Information on which entities states link their voter registration databases with and how often data transfers occur was collected in item Q5 of the Policy Survey.

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Figure 2. States Most Commonly Link Voter Registration Databases With Government Agencies
That Maintain Driver's Licenses and Death Records



Source: Information on the entities that are linked to state voter registration databases was collected in Q5 of the Policy Survey. This graph shows the number of states that reported linking their voter registration databases with the specified government agency.

Automatic and Automated Voter Registration

In 2020, 42.9% of states reported that voters may be registered to vote via an automated process, whether online or in person, during a transaction with a state government agency. ¹⁹ Examples of these automated processes included those that force a choice, such as when an individual cannot proceed with a transaction without selecting whether or not they wish to be registered to vote, or processes that register a person to vote as a default, after which the individual may choose to opt out. In the event that an individual wishes to decline to register, the vast majority of states reported that they allow the declination to occur at the point of service. About one-third of states reported that they allow declinations via a mailer sent to the individual after the transaction. ²⁰

¹⁹ Information on automatic and automated voter registration was collected in item Q6 of the Policy Survey.

²⁰ Information on when an individual can decline to register to vote was collected in item Q6b of the Policy Survey.

States that have some kind of automatic or automated voter registration process linked to a state agency transaction all reported that their state motor vehicle agency participates in this program, and about one-quarter of the states indicated that public assistance agencies also participate. Less common program participants included agencies for people with disabilities and other designated state agencies. Florida also reported linking their voter registration process with tax collector offices and any office that issues state ID cards. Colorado reported linking with the state's Department of Health Care Policy and Financing, and Alaska reported linking with the state's Permanent Fund Dividend Division. Maryland noted the state agencies that participate in the automatic or automated voter registration program are designated by the Maryland General Assembly.²¹

Preregistration

In the 2020 Policy Survey, most states (87.5%) reported allowing individuals under the age of 18 to preregister to vote and become automatically registered once they turn 18 years old. Over half of states that had a preregistration program reported that they allow individuals to preregister at age 17 (51%), whereas fewer states reported allowing individuals to preregister at age 16 (38.8%). Five states (10.2%) indicated that they allow individuals to preregister at age 17 and a half.²²

Online Voter Registration

Arizona became the first state to adopt online voter registration in 2002, and by 2016, the number of states that offered online voter registration jumped to 32.23 Online voter registration generally mirrors the process of registering to vote using a paper form, but the information that is necessary to process the registration application is completed and submitted electronically, without the need of a paper form to be submitted or created.

Forty-five states (80.4%, an increase from 72.7% in 2018) reported having an online voter registration portal in which individuals can register on their own, fully online, and without having to submit a paper form. In almost all of those states, individuals can both register to vote and update their registration via the system. Two states reported that individuals can only update their registration online and cannot use the online system to submit a new registration application. A majority of states with an online voter registration system (82.2%) reported that only individuals with a valid driver's license or state-issued ID card can use it.²⁴ Figure 3 shows the prevalence of online voter registration across states.

²¹ Information on which state agencies participate in automatic voter registration was collected in item Q6a of the Policy Survey.

²² Information on preregistration was collected in item Q10 of the Policy Survey.

²³ "EAVS Deep Dive: Registering to Vote", https://www.eac.gov/documents/2017/09/20/eavs-deep-dive-registering-to-vote/ U.S. Election Assistance Commission. (2017, September 20). *EAVS Deep Dive: Registering to Vote:* https://www.eac.gov/documents/2017/09/20/eavs-deep-dive-registering-to-vote/.

²⁴ Information on states' online voter registration policies was collected in item Q7 of the Policy Survey. Information on whether a driver's license or state-issued ID card is needed to register to vote online was collected in item Q7a of the Policy Survey.



ME NH MT ND MN WI MI NY WA MA RI OH ID WY SD IA IL IN PA NJ CT OR NV CO NE MO KY WV MD DE AR CA AZ UT KS TN VA NC NM OK LA MS AL SC TX GA GU MP AS FL PR VI Not Available State ID Required State ID Not Required

Figure 3. More Than Three-Quarters of States Offer Online Registration

Source: Information on online registration policy was collected in items Q7 and Q7a of the Policy Survey.

States were also asked to describe the technological and user experience features of their online, web-based voter registration system and how voters use it. The most common feature was the use of a motor vehicle agency signature to register to vote (84.4%), followed by mobile phone optimization (75.6%) and sending a confirmation email to each registrant (60%). Slightly less than half of all states reported having custom web page URLs to track where the voter came from to enter the online registration process (e.g., a state agency or third-party organization), providing a confirmation number to each registrant, and supporting languages other than English. About one-quarter of states also reported the use of a third-party application programming interface (API), which allows different software components to communicate with each other.²⁵

Same-Day Registration

Instead of requiring voters to register in advance of an election, some states reported allowing individuals to register to vote and to cast a ballot on the same day. Roughly half of the states reported having same-day registration (SDR) or a period of overlap between in-person early voting and the close of voter registration in which a person can register to vote and cast a ballot on the

 $^{^{25}}$ Information on the features of state online, web-based voter registration systems was collected in item Q7b of the Policy Survey.

same day (see Figure 4).26 Among states with SDR, it was most common to have SDR on Election Day (72.4%). Additionally, the majority of states indicated that they allow SDR during in-person early voting (69%).27

Twelve states reported having SDR during an overlap between the start of early voting and the close of voter registration. Some states noted that SDR only occurs in special cases, such as Alaska and Rhode Island for presidential elections. New residents who move to Nebraska after the close of voter registration can register to vote and can vote only for president in the general election; former residents who move to another state after the close of registration can also vote only for president in the general election. In North Carolina, citizens who have become eligible to vote between the "close of books" and Election Day may register on the same day as they vote.28

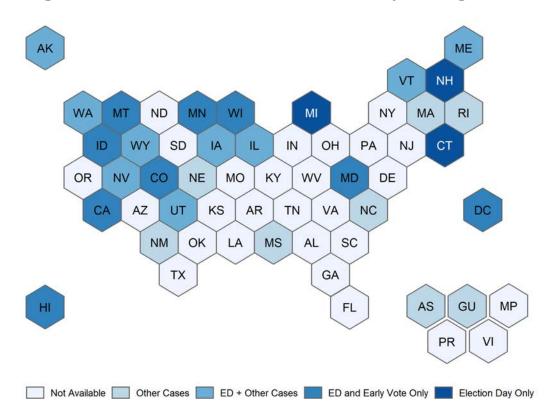


Figure 4. Half of the States Offer Some Form of Same-Day Voter Registration

Source: Information on SDR policy was collected in items Q9 and Q9a of the Policy Survey. "ED" stands for "Election Day." "Other Cases" includes instances in which states may allow for SDR during in-person early voting only, during an overlap between the start of early voting and the close of voter registration, and other specific cases.

²⁶ The timeline does not include an overlap between the mail balloting period and the close of voter registration.

²⁷ Information on state SDR policies was collected in item Q9 of the Policy Survey. Information on the circumstances of SDR was collected in item Q9a of the Policy Survey.

²⁸ North Carolina did not provide clarification on what was meant by "close of books."



State Election Office Website

The 2020 Policy Survey also asked states about which voter information search tools and other tools are available on each state's election office website. Almost all of the states indicated that voters can check their registration status and check their polling site location on the state election office website. Most states reported having tools that track ballot status, including UOCAVA ballots (87.5%), mailed ballots (82.1%), and provisional ballots (51.8%), and that check voter-specific ballot information (76.8%). Additionally, most states reported that their website allows voters to request to receive a mail or absentee ballot (67.9%).²⁹

List Maintenance

The NVRA establishes a process for states to keep their voter registration lists accurate. Under this law, a registrant can be removed from a state's list for the following reasons:

- The registrant requests to be removed;
- The registrant dies;
- The registrant is declared mentally incapacitated, if a state law requires it;
- The registrant is convicted of a specified crime, if state law requires it; or
- The registrant changes residences outside of the jurisdiction, in which case the removal process must be conducted in accordance with procedures set forth in the NVRA.³⁰

Under the process established by the NVRA, when a registrant appears to have moved outside of their jurisdiction due to returned or undeliverable mail, the state must follow a specific process to verify that the individual is no longer eligible to vote. An address confirmation procedure must be followed before removing the voter from the registration list.

The 2020 Policy Survey asked states whether they differentiate between active and inactive voters in their voter registration records. Active voters are individuals who require no additional processing before they can vote, whereas inactive voters will require address verification before being permitted to vote. Forty-six states, three territories, and the District of Columbia indicated that they differentiate between the two types of voters, although according to state comments, the definitions for an active and inactive voter vary widely. Guam, Idaho, North Dakota, New Hampshire, the U.S. Virgin Islands, and Wyoming reported not distinguishing between active and inactive voters. Some states indicated using specific terminology: Nebraska uses "in NVRA" to refer to inactive voters, Texas uses the term "suspense voters," and American Samoa uses the term "purged voter." West Virginia indicated that inactive voters are those "flagged as moving and receiv[ing] a confirmation notice." According to the

voter registration system keeps a historical record of previously registered voters.

 $^{^{29}}$ Information on state election office website lookup tools was collected in item Q8 of the Policy Survey.

^{30 52} U.S.C. § 20507

³¹ Information on whether states differentiate between active and inactive voters was collected in item Q11 of the Policy Survey. Minnesota is NVRA exempt and does not define inactive voters as "voters who remain eligible to vote but require address verification under the provisions of the National Voter Registration Act," as defined in the EAVS item A1c; therefore, the EAVS item A1c does not apply to the state. Additionally, North Dakota does not have voter registration but does define inactive voters in the state voter file. Inactive voters are defined as those who have never voted before or have not voted in the last two federal elections. Although Wyoming does not keep an inactive list of eligible voters, the statewide

NVRA, voters marked as inactive are still able to vote in elections unless they have not voted for two consecutive federal elections and have not updated their information.

Almost three-quarters (70%) of states that reported differentiating between active and inactive voters also reported that they will move an active voter to the inactive voter list if mail that is sent by an election office to the voter's residence is returned as undeliverable, whereas 62% of states reported that they will move an active voter to the inactive voter list if the voter fails to return a confirmation notice. Fifteen states commented with several additional actions, including change in address, not voting in a certain number of elections, determining a person is a felon, determining a person is deceased, and the existence of duplicate voter records.32

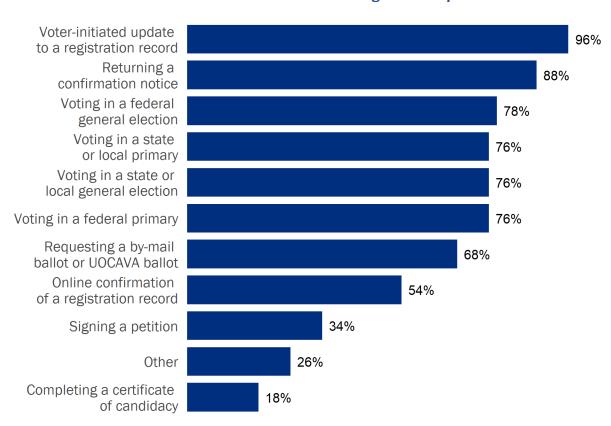


Figure 5. States That Differentiate Active and Inactive Voters Will Most Often Reactivate an Inactive Voter if the Voter Initiates a Registration Update

Source: Information on policy regarding reactivating inactive voters was collected in Q11b of the Policy Survey.

On the other hand, certain actions can result in moving an inactive voter to the active voter list. Figure 5 shows the reasons states report for reactivating inactive voters, if the state differentiates between active and inactive voters. Most states that distinguish between active and inactive voters

³² Information on moving an active voter to the inactive list was collected in item Q11a of the Policy Survey.

reported that they will move an inactive voter to the active voter list if an individual initiates an update to their registration record (96%), returns a confirmation notice (88%), votes in a federal election (78% for general and 76% for primary), votes in a state or local primary or general election (both 76% respectively), and/or requests a mail or UOCAVA ballot (68%). Furthermore, roughly half of the states reported that they will move an inactive voter to the active voter list if there is an online confirmation of the voter's registration record. Less common reasons for moving an inactive voter to the active voter list included if a voter signs a petition or completes a certificate of candidacy. Thirteen states indicated some other reason, including providing documentation (e.g., appropriate identification or a signed affidavit) at a polling place, submitting a new registration, and receiving an address change through the state motor vehicle agency.³³

Thirty-five states indicated that only local officials are responsible for modifying or removing voter registration records, and 12 states reported that modifying voter registration records is done by both state and local officials.³⁴ Alaska, American Samoa, Delaware, the District of Columbia, Guam, South Carolina, and the U.S. Virgin Islands all indicated that they only modify records at the state level.³⁵ Table 2 illustrates data sources used to identify potentially ineligible voters. Across states, the most common data sources were the state vital statistics office, reports from other states indicating a former resident registered to vote, a voter request for removal, entities that maintain prison records, and any mail (not including ballots) sent from an election office that was returned as undeliverable.³⁶

Most states reported sending confirmation notices to voters to help identify individuals who may be ineligible to vote, but the reasons for sending confirmation notices differ by state. Of the states that send confirmation notices, 41 (85.4%) reported sending confirmation notices pursuant to Section 8 (d) (1) (B) and Section 8 (d) (2) of the NVRA, 31 states (64.6%) reported sending confirmation notices pursuant to a state statute, and seven states (14.6%) reported sending confirmation notices pursuant to a formal administrative rule or guidance. Eight states reported that they do not send confirmation notices.³⁷

States most commonly reported sending confirmation notices to voters whose mail from an election office was returned as undeliverable (81.3%), to voters whose addresses may have changed (72.9%), to voters who have not voted in two consecutive general elections (41.7%), to voters who have been convicted of a disqualifying felony (35.4%), and to voters who requested removal from the voter registration list (29.2%). Less than one-third of states reported sending confirmation notices to voters who have been declared mentally incompetent, voters who have obtained a driver's license in a new state, and voters who have not made contact with their state for a specified length of time.

³³ Information on moving an inactive voter to the active list was collected in item Q11b of the Policy Survey.

³⁴ The District of Columbia and American Samoa noted that they do not have local election officials; Puerto Rico noted that state and local officials have the same roles and responsibilities.

³⁵ Information on who is responsible for modifying or removing voter registration records was collected in item Q12 of the Policy Survey. Nevada did not provide a response, and North Dakota indicated that this question does not apply because the state does not have voter registration.

³⁶ Information on the data sources used to identify potentially ineligible voters was collected in item Q14 of the Policy Survey.

³⁷ Information on whether and how states send confirmation notices to help identify ineligible voters was collected in item Q13 of the Policy Survey.

Table 2. States Most Often Use State Vital Statistics Office and Reports From Other States to Identify Ineligible Voters

Source of Data on Potentially Ineligible Voters	Percentage of States That Report Using Data From the Data Source
State vital statistics office death records	92.9%
Reports/notices from other states that a former resident has registered to vote	89.3%
Requests from voters for removal	85.7%
Entities that maintain felony/prison records	82.1%
Other mail from the election office (not ballots) that was returned as undeliverable	69.6%
Newspaper death notices/obituaries	66.1%
National Change of Address (NCOA) reports	58.9%
Data from an interstate data-sharing compact	57.1%
Social Security Administration death records	57.1%
Mailed ballots returned as undeliverable	55.4%
Motor vehicle agencies	46.4%
Entities that maintain records of individuals declared mentally incompetent	42.9%
Applications for mailed ballots	26.8%
Jury questionnaires	26.8%
Returned jury summons	16.1%
State public assistance agencies	16.1%
State agencies that serve persons with disabilities	12.5%
Canvassing	8.9%
Other	8.9%
State agencies that are not specified in the NVRA	7.1%
State tax filings	1.8%

Source: Information on the data sources used to identify ineligible voters was collected in Q14 of the Policy Survey. This question also collected information on whether states use commercial data sources, but no state selected that option.

Five states (10.4%) reported that all registered voters routinely receive a non-forwardable notice during a specified increment of time; this time frame ranges from one to four years. Just under 30% of states reported sending confirmation notices for some other reason.³⁸ For example, some states or certain jurisdictions within states indicated that they routinely send confirmation notices as part of their list maintenance procedures. States that are members of the Electronic Information Registration Center (ERIC) send confirmation notices to individuals who are eligible to vote but are

³⁸ Information on which voters states send confirmation notices to was collected in item Q13a of the Policy Survey.

unregistered. Other states indicated that notices are sent when there may be a change other than address (e.g., name). Washington, a state in which nearly all voters cast their ballots by mail, reported that the mailing information provided by a returned or forwarded ballot serves as the start of the confirmation process.

Criminal Convictions and Voting

The NVRA allows states to remove voters from their registration lists if the voter receives a disqualifying criminal conviction or is incarcerated. The Policy Survey asks three questions about removing voters from registration lists due to disqualifying felony convictions and about the restoration of voting rights:

- Which populations have their voting eligibility suspended due to a criminal conviction?
- For how long does a person with a felony conviction lose their right to vote?
- How can a person with a felony conviction become an eligible voter again?

The District of Columbia, Guam, Maine, Puerto Rico, and Vermont reported that they do not limit a person's right to vote based on a criminal conviction. Conversely, 42 states reported that the conviction of any felony will limit a person's right to vote. About one-fifth of states reported that they limit the voting rights of individuals convicted only of certain felonies, and nine states reported that they limit the voting rights of individuals who are convicted of other crimes that are not felonies (e.g., election-related crimes).³⁹

There is variation in the disqualification time periods and in the processes for restoring voting rights. Of the states that have some form of felon disenfranchisement, most reported revoking the right to vote during the period of incarceration (90.4%) and/or any period of probation and parole (61.5%). Some states also reported revoking voting rights during an additional length of time (19.2%), such as a statutorily mandated waiting period and/or until the payment of outstanding fines, restitution, or penalties (25%).

The Policy Survey also asks states to indicate how disenfranchised individuals go about restoring their eligibility to vote. ⁴¹ Minnesota, Missouri, and the U.S. Virgin Islands reported automatically restoring the previous voter registration of persons with felony convictions once the period of disenfranchisement has passed, requiring no further action by the voter. ⁴² Of the 49 states that indicated requiring some type of action, 79.6% reported that a person is immediately eligible to vote and must reregister through the same process as the general public. Some states reported having other conditions, such as presenting documentation during the registration process that shows that the person has completed the voter registration requirements (12.2%) and having voting rights

³⁹ Information on state policies for suspending or revoking voting rights due to criminal convictions was collected in item Q37 of the Policy Survey. This item does not distinguish a felony conviction from the subsequent period of incarceration. ⁴⁰ Information on the length of time a disqualifying felony conviction will restrict voting rights was collected in item Q37a of the Policy Survey.

⁴¹ Due to North Dakota not having voter registration, a person who is no longer incarcerated is automatically eligible to vote without any further action needed. In Delaware, felony convictions result in permanent disqualification from voting.

⁴² Guam law prohibits incarcerated persons from voting. However, once the period of incarceration has ended, voting rights are restored. A non-incarcerated felon is able to vote, and the individual is not removed from the voter registration roll.

restored through a formal administrative process (16.3%). Thirteen states provided survey comments that further explained their policies.⁴³ In Louisiana, for example, if a person is under an order of imprisonment for a felony conviction but "has not been incarcerated pursuant to the order within the last five years," then that person is eligible to register. Florida and lowa reported that the type of felony conviction determines the restoration of voting rights. Arizona indicated that for a first felony conviction, civil rights are automatically restored upon the completion of the sentence, parole, probation period, and payment of restitution; otherwise, voting rights must be restored through a formal process.

Voting by Mail

All states and territories and the District of Columbia offer their citizens the opportunity to cast their ballots by mail in federal general elections.⁴⁴ Some states use the term "absentee voting" to refer to mail voting. The 2020 Policy Survey demonstrates that there were wide variations among the states in which voters are eligible to vote by mail, what documentation voters must provide in order to receive a mailed ballot, how mailed ballots may be returned to election officials, and the deadlines for mailed ballots to be postmarked and received by election offices for the 2020 general election. The COVID-19 restrictions pushed many states to expand their mail voting policies, and states reported more than double the number of mailed ballots cast in the 2020 general election compared to the 2016 general election. 45

In 2020, 39 states reported that they do not require voters to provide a reason for why they are requesting a mailed ballot and for why they cannot vote in person on Election Day; seven of those states reported requiring an excuse in 2018 but not in 2020. Conversely, one-third of states reported requiring voters to provide an excuse, a decrease from 40% in the 2018 Policy Survey responses.⁴⁶ Twenty-six states reported that voters can request to be on a permanent absentee list from which they will automatically receive ballots for all future elections. Either any registrant can request to be a permanent absentee voter (21.4% of states) or only individuals who meet specific criteria can request to be a permanent absentee voter (25% of states).⁴⁷

States have special criteria for individuals who make the request to be granted permanent absentee status.48 The most common requirement was that the requester must have a disability (78.6% of states that have permanent absentee voting); Delaware, 49 Massachusetts, New York, Tennessee, and Wisconsin reported that they will also grant permanent absentee status to those who are infirm,

⁴³ Information on state policies for restoring voting rights to persons with disqualifying felony convictions was collected in item Q37b of the Policy Survey.

⁴⁴ Some states use the term "in-person absentee voting" to refer to the process by which a voter visits an election office to request a mailed ballot, completes the ballot, and returns the ballot in one trip. However, EAVS considers this to be a form of in-person early voting and asks states to report their data as such.

⁴⁵ For more information, see Chapter 1 of this report.

⁴⁶ Information on whether states require an excuse for mail voting was collected in item Q17 of the Policy Survey.

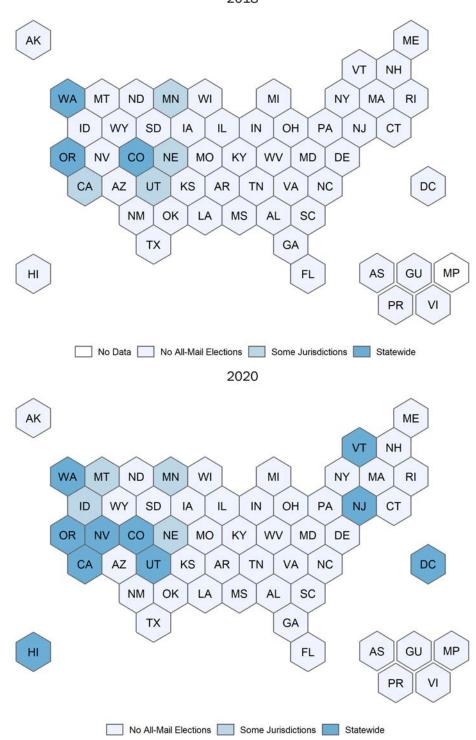
⁴⁷ Information on whether states have permanent absentee voting was collected in item Q19 of the Policy Survey.

⁴⁸ Information on who can become a permanent absentee voter was collected in item Q19a of the Policy Survey.

⁴⁹ Delaware also includes federal or state public service workers and their spouses or dependents, members of the uniformed services, and voters who are temporary residents.



Figure 6. Number of States Offering Entirely Vote-By-Mail Elections Doubled From 2018 to 2020 2018



Source: Information on the policy of all-mail elections was collected in items Q9 and Q9a of the 2018 Policy Survey and in items Q18 and Q18a of the 2020 Policy Survey.

have a permanent illness, or can provide a note from a medical professional. West Virginia indicated allowing address confidentiality program participants to be permanent absentee voters, and Louisiana indicated requiring individuals to be over a specified age. Despite conducting all-mail elections, Oregon uses the term "absentee voter" for individuals who may be away from their residences when ballots are transmitted.

With 2020's overall shift toward mail voting, the number of states that conducted all-mail elections, in which all registered voters or all active registered voters are automatically sent a mailed ballot, doubled since the 2018 Policy Survey. Figure 6 shows the 14 states that have some type of vote-bymail system. Four states reported having some vote-by-mail jurisdictions. Ten states reported having statewide vote-by-mail systems, a significant increase from three states in 2018.50 The Policy Survey did not record whether the states that altered their all-mail voting policy between the 2018 and the 2020 general elections did so temporarily or permanently or whether the change was made in direct response to the COVID-19 pandemic. It should be noted that although these states mailed registered voters a ballot, most states also provided in-person voting options during early voting and/or on Election Day.

The Policy Survey also collected data on the circumstances under which voters could receive ballots through electronic means. This question applied specifically to non-military voters residing in the United States, as voters who are members of the uniformed services or who are overseas citizens who wish to receive ballots electronically are covered under UOCAVA. Twenty-nine states reported that they allow non-military voters residing in the United States to receive their ballots through an electronic format, such as email, fax, through an online voter registration portal, or through a mobile phone app. Alaska, Guam, Kentucky, Maryland, Oregon, and Washington reported that voters may receive a ballot electronically for any circumstance. 51 Other states reported having special circumstances.⁵² For example, 19 states indicated allowing voters with disabilities to receive ballots electronically, including seven states where voters must have specific disabilities and 12 states where voters may have any disability status. 53 Massachusetts specified that the voter must have a disability that prevents them from marking a paper ballot independently and privately, and Maine noted that the voter must self-identify as having a print disability.

Hawaii, Nevada, and the U.S. Virgin Islands reported that they allow electronic ballot transmission when a replacement ballot is need, and seven states reported that they allow electronic ballot transmission during emergency situations that hinder in-person voting, such as a natural disaster.⁵⁴

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⁵⁰ Information on which states have an all-vote-by-mail system was collected in item Q18 of the Policy Survey. Information on whether the state's all-vote-by-mail system is used only in certain jurisdictions or is statewide was collected in item 018a of the Policy Survey. California and Utah reported conducting all-mail elections statewide in 2020. In 2018, both states reported that only certain jurisdictions had all-mail elections.

⁵¹ California did not report that voters may receive a ballot electronically under any circumstance but commented that any voter may cast a ballot using a certified, remote-accessible vote-by-mail system regardless of disability status or whether they are an overseas or uniformed services voter.

⁵² Information on the circumstances under which voters may receive their ballots electronically was collected in item Q23 of the Policy Survey.

⁵³ The U.S. Virgin Islands chose both of these response options. Delaware noted that disability status includes those who are ill or temporarily physically disabled. In Pennsylvania, voters may have any disability as defined by the Americans with Disabilities Act (ADA).

⁵⁴ Hawaii noted that a replacement ballot must be requested within five days of an election.



New York and Mississippi extended their requirements to emergency responders, and in Mississippi, according to the state UOCAVA statute, emergency responders qualify for an electronic ballot if they are deployed outside of their county of residence during an emergency.

Mailed Ballot Tracking and Deadlines

The 2020 Policy Survey asked states to report on their deadlines for mailed ballots from non-military voters residing in the United States. Ballot deadlines for voters covered by UOCAVA were reported in separate questions, as UOCAVA ballot deadlines are typically different from those for other mailed ballots. The postmark deadline is Election Day for just under half (46.4%) of states; however, Alabama, lowa, North Dakota, Ohio, and Utah reported having a postmark deadline one day before Election Day. The States, mailed ballots must be received by Election Day, and in 42.9% of states, mailed ballots must be received by a specified number of days after Election Day, with responses ranging from one to 20 days after Election Day. Louisiana reported that mailed ballots must be received by one day before Election Day.

States also reported how long mailed ballots that arrive past the above deadlines are tracked for reporting in Section C of the EAVS.⁵⁸ These mailed ballots are tracked indefinitely in 42.9% of states, or until canvassing is complete in 44.6% of states. Five states have a specific length of time for mailed ballot tracking; four of these states reported a date between November 17, 2020, and February 1, 2021.⁵⁹

States vary in what satisfies postmark requirements for mailed ballots.⁶⁰ In states that require postmarks, the most commonly reported required feature was a physical postmark (76.7%),⁶¹ followed by hand cancellation or a private express delivery service date stamp (both 44.2% respectively) and postal processing markings (41.9%). Less commonly required features were intelligent barcodes (23.3%) and a date on a voter affidavit (14%).⁶² Some states specified other ways of satisfying postmark requirements.⁶³ Additionally, Ohio indicated accepting an ID tag date, and Kansas indicated accepting any other indicia from the U.S. Postal Service. In California, if the postmark is missing or damaged and no additional information is provided by the U.S. Postal Service or other mail delivery service, the ballot identification envelope will be date stamped upon receipt by an election official on or before Election Day. The District of Columbia Board of Elections reported

⁵⁵ Twenty-two states indicated that the item asking for a postmark deadline for voters does not apply to them.

⁵⁶ States that reported having a ballot receipt deadline after Election Day require ballots to be postmarked by Election Day.

⁵⁷ Information on deadlines for returning mailed ballots was collected in item Q20 of the Policy Survey.

⁵⁸ Two states did not provide a response to this item.

⁵⁹ Information on the length of time that ballots are tracked for reporting in EAVS Section C was collected in item Q21 of the Policy Survey. Maine reported tracking until November 3, 2022.

⁶⁰ Thirteen states reported not requiring a postmark for mailed ballots; six states did not provide a response to this item. South Dakota explained that they do not honor postmarks for ballots; Minnesota also commented that they do not use postmarks.

⁶¹ Florida specified that physical postmarks are only required for 10-day overseas ballots. See https://dos.myflorida.com/elections/for-voters/voting/military-and-overseas-citizens-voting/ for more detail on these ballots.

⁶² In Washington, the postmark requirement may be met by a date on a voter affidavit for UOCAVA ballots that lack a postmark.

⁶³ Information on mailed ballot postmark requirements was collected in item Q22 of the Policy Survey.

that they make ballot drop boxes available to voters through Election Day, which satisfies postmark requirements.

UOCAVA Voting

UOCAVA requires that all states offer uniformed services members, their eligible family members, and overseas citizens the ability to vote absentee in all federal elections. UOCAVA-protected citizens have the option of using the FPCA, which serves as both a registration and ballot request application and is accepted in all U.S. states and territories. All states accept FPCAs submitted by postal mail. In addition, the Military and Overseas Voter Empowerment (MOVE) Act amended UOCAVA, requiring that all states offer an electronic means for FPCA submission. UOCAVA voters may submit their FPCA by fax, online (either by email or through the state's online voter registration portal), or by other modes, as allowed by state law.

All states are required to accept FPCAs by postal mail. In 2020, the most common additional methods for accepting FPCAs were email and fax; both modes were allowed in over 90% of states. Twenty-four states (42.9%, an increase from 36.4% in 2018) reported accepting FPCAs submitted through the state's online voter registration portal.⁶⁴ Some states reported that FPCAs can be submitted by some other method; South Carolina and Colorado indicated allowing in-person returns, and Louisiana indicated allowing returns by commercial carrier. Oklahoma reported allowing UOCAVA voters to email their ballot materials to FVAP's electronic transmission service, after which the email is converted to fax and sent to the appropriate county election board. Maine specified allowing UOCAVA voters to request an absentee ballot through the state's online absentee ballot request service. A voter registration submitted via FPCA is considered permanent in 53.6% of states (a decrease from 72.7% in 2018) and temporary in 46.4% of states (an increase from 25.5% in 2018).65

States differ in the length of time an FPCA absentee ballot request remains valid; that is, the period of time or number of elections for which a voter can retain their UOCAVA status and have an absentee ballot transmitted to them. 66 Almost half (46.4%) of states reported that the length of time the FPCA will serve as a ballot request mechanism is a specified number of calendar years; in most of those states, the length of time is one year, although in North Dakota, Utah, and Virginia, it is two years. In other states, the length of time is measured by the number of general election cycles (12.5%); most of those states specified a length of one general election cycle, although Minnesota and Oklahoma specified two general election cycles. Some states (8.9%) reported that they will use the FPCA as a ballot request mechanism until the voter moves from their residence.⁶⁷

⁶⁴ Maryland reported allowing the three listed options if the voter is already registered and is using the FPCA to request an absentee ballot. If the FPCA is used to register, it must be submitted by mail or through Maryland's online voter registration portal. In Wisconsin, non-military UOCAVA voters cannot submit registrations, including the FPCA, by email or fax. 65 Information on the methods by which UOCAVA voters can submit an FPCA, other than by postal mail, was collected in item Q26 of the Policy Survey. Information on whether a voter registration submitted through an FPCA is permanent or temporary was collected in item Q27 of the Policy Survey.

⁶⁶ Information on how long UOCAVA voters remain eligible to receive absentee ballots was collected in item Q28 of the Policy Survey.

⁶⁷ This information is provided by the U.S. Postal Service or the voter.

SSISTANCE COMMUNICATION OF STATES

About one-third (32.1%) of states provided a description of another length of time that was unlisted in the Policy Survey question, with some states making distinctions between general and primary elections and others reporting a time linked with either a specific election timeline or a length of time tied to the submission of the FPCA. Nevada reported that voters retain their status until the end of the following calendar year, and Maine reported that the status remains eligible for 18 months. American Samoa, Oregon, and Washington specified a timeline based on changes to a voter's registration record. California, New Jersey, and North Carolina reported that eligibility remains permanent. Voters also continue to remain eligible in Pennsylvania, as long as they are registered to vote and they reapply for an absentee ballot each election cycle. The Northern Mariana Islands also reported that they require all registered voters to request their absentee ballots each election year.

UOCAVA Voting Deadlines

In addition to reporting deadlines for mailed ballots from non-UOCAVA voters, the 2020 Policy Survey asked states to report deadlines for ballots submitted by both uniformed services voters residing in the United States and overseas UOCAVA voters. States provided information on both postmark deadlines and ballot receipt deadlines, as applicable. In 2020, the postmark deadline was Election Day in about half of the states (48.2%) for domestic uniformed services voters; however, in Iowa, North Dakota, and Pennsylvania, the postmark deadline was one day before Election Day. ⁶⁸ Just under half of the states (41.1%) reported that ballots had to have been received by Election Day, and 58.9% of the states indicated that the ballots must have been received by a specified number of days after Election Day, with responses ranging from two to 20 days after Election Day. ⁶⁹

For overseas UOCAVA voters, Election Day was the postmark deadline in half of the states. The three states mentioned above also reported having a postmark deadline one day before Election Day for these voters. ⁷⁰ Ballots in 39.3% of the states were required to be received by Election Day; in the remaining 60.7% of states ballots could arrive after Election Day and still remain eligible to be counted, with the deadlines ranging from two to 20 days after Election Day. The majority of states (83.7%) reported that they have the same postmark requirements for UOCAVA ballots and mailed ballots from non-UOCAVA voters. ⁷¹ Eight states indicated that the requirements are different. ⁷²

For more information about how UOCAVA voters participated in the 2020 general election, including ballots transmitted, returned, counted, and rejected, and the use of the Federal Write-In Absentee Ballot (FWAB), see Chapter 4 of this report.

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⁶⁸ Twenty-three states indicated that the item asking for a postmark deadline for domestic military UOCAVA voters does not apply to them.

⁶⁹ Information on deadlines for ballots submitted by uniformed services voters residing in the United States was collected in item Q29 of the Policy Survey.

 $^{^{70}}$ Twenty-two states indicated that the item asking for a postmark deadline for overseas UOCAVA voters does not apply to them.

⁷¹ Seven states did not provide a response to this item. West Virginia does not require postmarks.

 $^{^{72}}$ Information on deadlines for ballots submitted by overseas UOCAVA voters was collected in item Q30 in the Policy Survey. Information on the differences between postmark requirements for UOCAVA and non-UOCAVA voters was collected in item Q31 in the Policy Survey.

In-Person Voting

The traditional image of voting in America involves voters physically traveling to a polling location and casting their ballots in person. In some cases, however, an individual may vote in person without having to go to a polling place on Election Day.

In-Person Voting Before Election Day

Most states reported that they allow individuals to cast their ballots in person before Election Day (not including the hand delivery of mailed ballots). 73 This type of voting generally falls into two categories:

- A voter may go to a polling place before Election Day, receive a ballot, vote their ballot while at the polling place, and place their completed ballot into a ballot box or tabulator.
- A voter may go to an election office to pick up a ballot over the counter. In some states, the voter may be able to take their ballot home with them, whereas in other states, the ballot must be completed in the office. The ballot is then sealed in an envelope and tabulated along with ballots that are returned to the office by mail according to local procedures.

Different states use the terms "in-person early voting" and "in-person absentee voting" to describe both of the voting methods above, although other terms exist as well. Some states offer both types of voting activities.

Table 3. Examples of Unique Descriptions of In-Person Early Voting

State	Description of In-Person Early Voting
American Samoa	Local absentee voting
Connecticut	Can request an absentee ballot, vote on the spot, and not return it by mail
Georgia	Advance voting
Hawaii	In-person voting
Kansas	In-person advance voting
North Carolina	One-stop and early voting
Oregon	Some populations can go to county elections office and receive a ballot, which they can then use to vote
Pennsylvania	Mailed ballots can be completed over the counter at an election office
Puerto Rico	Voting in their houses via USPS mail
Washington	In-person voting

Source: Information on the descriptions of in-person early voting was collected in Q24 of the Policy Survey.

⁷³ New Jersey does not have in-person voting before Election Day.

Twenty-nine states (51.8%) reported having in-person early voting, and 27 states (48.2%) reported having in-person absentee voting.⁷⁴ Ten states specified unique descriptions for early voting, as seen in Table 3. Twelve states (21.4%) reported requiring an excuse to vote in person before Election Day, a decrease from the 15 states that reported this policy in 2018.⁷⁵

Vote Centers

The EAC describes vote centers as centralized, consolidated polling sites that serve as alternatives to traditional polling places. ⁷⁶ Jurisdictions that use vote centers allow voters to cast their Election Day ballots at any vote center in their jurisdiction, rather than needing to vote at a specifically assigned polling place. The 2020 Policy Survey asked whether any of the state's jurisdictions allow voters to cast ballots at any polling place or vote center in their jurisdiction and to describe how vote centers operate.

Over one-third of states (37.5%) reported having vote centers or allowing voters to cast ballots at any polling place in the voter's jurisdiction. Eight of those states (38.1%) indicated that they require the use of vote centers statewide. Another eight reported having vote centers, but jurisdictions have the option not to implement them. Alabama, Arkansas, Missouri, Tennessee, and Texas (comprising 23.8% of the states) reported having vote centers, but only in jurisdictions that meet specific requirements.⁷⁷

Voter Identification

Under HAVA, Congress established minimum identification standards that an individual must meet in order to register to vote:

- Individuals who register to vote at their state's motor vehicle agency, another government
 agency, or using an online registration portal are typically authenticated by presenting
 appropriate documentation to the government agency and by the state matching the person's
 driver's license number or last four digits of their social security number to an existing state
 record.
- Individuals who register by mail and who have not voted before for federal office in their state
 of residence are required to present, at some point before voting, either a current and valid
 photo identification or a copy of a utility bill, bank statement, government check, paycheck, or
 other government document that shows the person's name and address.

⁷⁴ Information on the terminology used to describe the process of voting in person before Election Day was collected in item Q24 of the Policy Survey. States were able to select multiple response options.

⁷⁵ Information on whether an excuse is required to vote in person before Election Day was collected in item Q24a of the Policy Survey.

⁷⁶ U.S. Election Assistance Commission. (2017, November 11). *EAVS Deep Dive: Poll Workers and Polling Places: U.S. Election Assistance Commission*. https://www.eac.gov/documents/2017/11/15/eavs-deep-dive-poll-workers-and-polling-places.

⁷⁷ Information on whether any jurisdictions within a state will allow voters to cast ballots at any polling location or vote center in their jurisdiction was collected in item Q25 of the Policy Survey. Information on how vote centers operate was collected in item Q25a of the Policy Survey.

 Individuals who are entitled to vote by absentee ballot under UOCAVA or entitled to vote other than in person under the Voting Accessibility for the Elderly and Handicapped Act or other federal law are exempt from HAVA's identification requirements.

The definition of voter identification varies by state. In some states it can mean a government-issued document with a photograph, whereas in other states, it can mean a voter-executed affidavit affirming identity. For in-person, non-first-time voting whether before or on Election Day, most states (53.6%) reported that they require voters to present a government-issued photo identification as proof of their identity. 78 Twenty states (35.7%) reported allowing voters to present a governmentissued, non-photo identification, and 24 states (42.9%) reported allowing non-government-issued, non-photo identification. Some states reported allowing a proof of residence (32.1%), a signed affidavit affirming identity with no further action required (37.5%) or with the requirement of presenting proper identification before a provisional ballot is counted (23.2%), or in some cases, voters may have a person registered to vote within that jurisdiction vouch for their identity (12.5%). Five states (8.9%) reported that they do not have identification requirements for in-person voting.⁷⁹

Provisional Voting

The EAC has provided best practices on the development of provisional voting procedures and notice to voters to ensure provisional voting procedures are fair, transparent, effective, and consistently applied to all voters in the state. The EAC states in its Best Practices on Provisional Voting report:

Section 302 of the Help America Vote Act (HAVA) creates the right for potential voters to cast provisional ballots in the event their names do not appear on the registration list or the voters' eligibility is challenged by an election official. The issuance of a provisional ballot is best described as a safety net or fail safe for the voter, in that:

- It maintains the person's intent to vote and selections until election officials determine that the person does or does not have the right to cast a ballot in the election.
- It allows the determination of the voter's eligibility to be made at a time when more perfect or complete information is available either from the voter or from the election jurisdiction.⁸⁰

HAVA specifies minimum requirements for notice to voters and provides opportunities for voters to resolve eligibility issues. Within the federal framework, states have different methods of complying with the provisional notification to voter requirements, using different technology and different timetables. State and local election officials ultimately apply their policies, procedures, and state legal requirements when making a determination as to whether or not to count a provisional ballot. For example, a state that has a stricter standard for the identification of voters than is contained in HAVA would apply its standard to determine if a given provisional ballot meets the state's ID standard.

⁷⁸ Two states did not provide a response to the item asking about identification requirements.

⁷⁹ Information on establishing a voter's identity during in-person voting was collected in item Q36 of the Policy Survey.

⁸⁰ U.S. Election Assistance Commission. (2017, February 27). Best Practices on Provisional Voting. https://www.eac.gov/documents/2017/02/27/eac-best-practices-on-provisional-voting/.

Table 4. States That Use Provisional Ballots Most Often Do So When an Election Official Asserts
That an Individual Is Ineligible to Vote

Reason for Offering Voters a Provisional Ballot	Percentage of States That Us <i>e</i> Provisional Voting and Offer Provisional Ballots for the Listed Reason
An election official asserts that an individual is not eligible to vote	92%
A voter's name does not appear on the list of eligible voters	86%
A voter does not have proper identification	80%
A voter is not a resident of the precinct in which they are attempting to vote	80%
Another person (not an election official) challenges a voter's qualifications, and the poll worker is not able to resolve the challenge	56%
A voter was issued a mailed ballot, but chooses to vote in person on Election Day and does not have the mailed ballot to surrender to poll workers	54%
A voter has changed their name or address but has not updated their voter registration	52%
A federal or state judge extends polling place hours in a federal election	48%
Other	26%

Source: Information on the circumstances for the use of provisional ballots was collected in Q32a of the Policy Survey.

Fifty states reported using provisional ballots for different reasons. The most common reason was an election official has asserted an individual is not eligible to vote.⁸¹ Table 4 provides a full list of reasons the states use provisional ballots.

If a voter casts a provisional ballot as a result of not having acceptable identification during voting, the deadline by which they must present appropriate identification to election officials to verify their identity and to have their provisional ballot accepted was most commonly reported as a specified number of days after Election Day. The 11 states that have this policy reported a range of one to nine days after Election Day. However, in Massachusetts and Wisconsin, the deadline for adjudicating provisional ballots for the 2020 general election was a specified date: November 6, 2020.82

 ⁸¹ Information on whether states use provisional ballots was collected in item Q32 of the Policy Survey. Information on the circumstances under which a state will use provisional ballots was collected in item Q32a of the Policy Survey.
 82 Information on deadlines for presenting appropriate identification to have a provisional ballot counted was collected in item Q36a of the Policy Survey.

After the election, many states have a limited amount of time in which to adjudicate provisional ballots and decide whether the ballots will be counted (either in full or in part) or rejected.83 Twentysix percent of the states that use provisional ballots reported that the deadline is by a specified date; for the November 3, 2020, general election, these dates ranged from November 3, 2020, to November 24, 2020. Most states (70%) indicated that this deadline is specified as a number of days after Election Day, with responses ranging between one day and 28 days.84

Eight percent of the states that use provisional ballots reported provisional ballots cast in the wrong precinct would be fully counted, and 40% of the states reported that they would be partially counted.85 Slightly more than half of the states (52%) reported that these ballots would be rejected.86

Election Technology

Voting system testing and certification are required in the majority of states (83.9%) by statute, and a few states (10.7%) indicated that they require testing and certification through a formal administrative rule or guidance. American Samoa, Mississippi, and Oklahoma reported that voting system testing and certification before the system's approval for purchase is not required. The 2020 Policy Survey then asked states to describe their policies regarding the role of the EAC and federal testing and certification. States most commonly reported requiring testing by an EAC-accredited Voting System Test Laboratory (VSTL; 45.3%), certification to the EAC-adopted Voluntary Voting System Guidelines (VVSG; 43.4%), and/or state and federal certification (41.5%; see Figure 7).87

Some states provided clarifying comments: The District of Columbia reported that it requires that voting systems must meet or exceed HAVA standards and/or be federally certified. Similarly, Oregon reported that the system must be EAC certified or examined by a federally accredited VSTL. New York indicated that a secondary source code review is performed by an independent security expert.

Alaska reported that it may approve a voting system upon consideration by an election administrator,88 and Guam indicated having an independent entity that conducts testing to determine the integrity of voting machines as deemed appropriate by election commissioners. Wisconsin reported having the statutory authority to certify systems without federal certification, but in practice, state testing typically does not start until federal certification is acquired.

Although there is no testing or certification of electronic poll books, sometimes called e-poll books, on the federal level, many states have their own process for testing or certifying these machines

⁸³ One state did not provide a response to this item. In Maine, provisional ballots are automatically counted unless a recount results in a contested election and the number of challenged ballots can affect the outcome.

⁸⁴ Information on the deadlines for adjudicating provisional ballots is collected in Policy Survey item Q32b.

⁸⁵ For example, a state might only count items on the ballot for which the voter would have been eligible had they voted in the correct precinct.

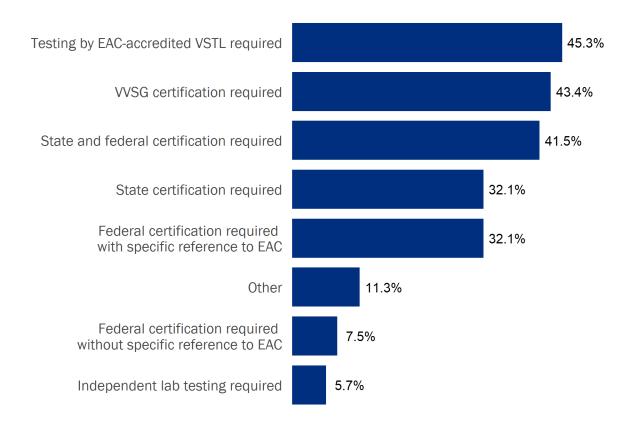
⁸⁶ Information on what happens to provisional ballots cast in the wrong precinct is collected in Policy Survey item Q32c.

⁸⁷ Information on voting system testing and certification policies was collected in items Q15 and Q15a of the Policy Survey.

⁸⁸ AK Stat § 15.20.910 (2016)

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Figure 7. States That Require Voting System Testing Most Commonly Require Testing From an EAC-Accredited VSTL



Source: Information on voting equipment testing and certification policy was collected in Q15a of the Policy Survey.

before approving them for purchase. Of the 40 states (71.4%) that reported using e-poll books either statewide or only in certain jurisdictions, 42.5% indicated that they do not require testing or certification before the e-poll books' approval for purchase.⁸⁹ In about one-third of the states that reported having e-poll book requirements, the testing and certification are required by statute, whereas in one-fourth of the states, testing and certification are required by formal administrative rule or guidance.⁹⁰

The 2020 Policy Survey asked whether any jurisdictions in the state use e-poll books and whether testing and certification are required before e-poll books' "approval for purchase." The Policy Survey and EAVS did not collect data on other procedures a jurisdiction may require before authorizing the

⁸⁹ Colorado, Hawaii, and Massachusetts reported in the Policy Survey that they use e-poll books but did not report data on the usage of e-poll books in item F3 of the EAVS. Puerto Rico reported data on the usage of e-poll books in the EAVS but reported not using e-poll books in the Policy Survey.

⁹⁰ Information on poll books was collected in items Q16 and Q16a of the Policy Survey. Illinois did not provide a response to this item.

use of e-poll books, including but not limited to pre-election testing, secure physical storage, contingency planning, chain-of-custody practices, and poll worker training.

Recounts, Audits, and Election Certification

Before local election officials certify the results of an election, they take steps to verify that all established election procedures were followed and that all voting equipment functioned properly. Many states require additional post-election verification that the counting process was accurate. These additional verifications may take the form of a partial recount (in which ballots in randomly selected precincts are counted a second time to ensure that the initial tabulation of votes was accurate) or a more detailed audit (in which the entire voting process is reviewed and key steps are verified).

Recounts

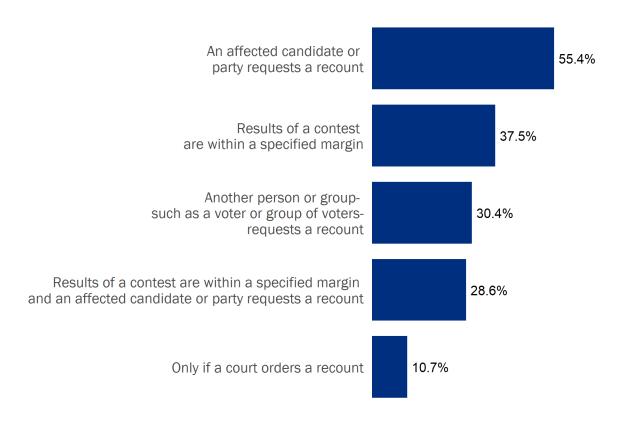
An election recount is a repeat tabulation of all votes cast in an election, and it is used to determine the accuracy of an initial count. The EAVS Policy Survey did not ask if the reasons for a recount were automatic, mandatory, or triggered. The information collected in these questions quantifies what is generally allowed by law in a specified state. Figure 8 displays the reasons why states may have conducted an election recount for the 2020 general election. States reported that the most common reason a recount may be conducted is at the request of an affected candidate or party (55.4%). Less common reasons were if the results of a contest are within a specified margin (37.5%), another person or group requests a recount (30.4%),91 or if the results of a contest are within a specified margin and it is requested by an affected candidate or party (28.6%). Arizona, Mississippi, New Jersey, New York, the Northern Mariana Islands, and Tennessee reported that recounts are only authorized if a court orders it.92

⁹¹ Based on state comments, this reason can include voters or groups of voters, a county board of canvassers, a county election commission, a political party chair, or a person opposing a state or local measure. Washington specified that a group of five or more voters may request a recount for an issue, and Nevada specified that any person or group could request a recount of a ballot measure by November 18, 2020.

⁹² Information on state policies regarding election recounts was collected in item Q34 of the Policy Survey.

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Figure 8. Post-Election Recounts Most Often May Be Conducted at the Request of an Affected Candidate or Party



Source: Information on post-election recount policy was collected in Q34 of the Policy Survey.

Post-Election Tabulation Audits

A post-election tabulation audit verifies that the voting equipment used to count ballots during an election properly counts a sample of voted ballots after an election. The majority of states (78.6%) indicated requiring some form of post-election tabulation audit, with some variation. 93 States most commonly indicated that a post-election audit is conducted as a statutory requirement, but Missouri and Nebraska stated that they conduct an audit as required by a formal administrative rule or guidance. Tennessee indicated only requiring a post-election tabulation audit for jurisdictions using optical scan voting systems. In Oklahoma, the secretary of the state election board can direct the secretary of a county election board to conduct post-election audits to ensure that voting devices and software correctly tabulated votes. Louisiana reported that it does not statutorily require tabulation audits, but audits are conducted in all parishes. The Policy Survey did not collect

⁹³ Information on whether a state requires a post-election tabulation audit was collected in item Q35 of the Policy Survey. Louisiana is not included in this calculation because it reported that "Our state does not statutorily require audits, but they are conducted in every parish."

information on whether these audits were mandatory, triggered, or conducted only in certain circumstances.

The 2020 Policy Survey asked states to report which of the following post-election tabulation audits would be required for the 2020 general election. States could select multiple options as applicable:

- A traditional tabulation audit that comes from a fixed percentage of randomly selected voting districts or voting machines and is compared to the results produced by the voting system;
- A risk-limiting tabulation audit that is a protocol designed to limit the risk of certifying an incorrect election outcome by using statistical methods to select the audit sample size; or
- Another type of audit.

Roughly three-quarters of the states reported requiring a traditional tabulation audit, and about onefifth of the states reported requiring a risk-limiting tabulation audit.94 Thirteen states (28.9%) provided comments detailing alternative procedures.95 For example, California stated that a jurisdiction may choose to conduct a risk-limiting audit instead of a traditional tabulation audit, and Nevada noted that after an initial pilot tabulation audit conducted after the 2020 general election, the state will require risk-limiting tabulation audits starting after the 2022 primary election. Pennsylvania also reported that it piloted a risk-limiting tabulation audit after the 2020 general election in addition to their statutory requirement.

Some states reported having additional steps in their tabulation audit processes. For example, Maryland stated that it conducts a traditional manual audit as well as a completely automated tabulation audit using ballot images. Louisiana noted that its tabulation audit includes a comparison between the number of times a machine was used for voting, the number of voters that signed a precinct register, the names written in the precinct poll books, and the voters who were given credit for voting in the statewide database. Washington reported that local election officials can choose among three methods to meet the state post-election tabulation audit requirement, including the option for a risk-limiting audit.

Election Certification

Although some local jurisdictions might have earlier deadlines for finalizing election results, elections are not officially certified until the state provides a final result. The 2020 Policy Survey asked states to provide their election certification deadlines for the 2020 general election.96 The range was broad,97 with 41 states reporting a date between November 10, 2020, and November 30, 2020.98

⁹⁴ Information on the type of post-election tabulation audit that states require was collected in item 035a of the Policy Survey. States were able to make multiple selections in this item's response options.

⁹⁵ In Louisiana, post-election tabulation audits were conducted by comparing all voting machine results to the number of voters that signed the precinct register, the names written in the precinct poll books, and the voters given credit for voting in the statewide database. However, Louisiana specified that post-election tabulation audits were not statutorily required for the 2020 general election.

⁹⁶ Hawaii does not have an election certification deadline; results are certified within 20 days of the election unless the Supreme Court has contested an election.

⁹⁷ The range was as early as November 4, 2020, in Puerto Rico and as late as December 11, 2020, in California.

⁹⁸ Information on deadlines for certifying the November 2020 general election results was collected in item Q33 of the Policy Survey.

States provided clarifying comments on their specific policies regarding their certification deadline. For example, Puerto Rico, Hawaii, Pennsylvania, Tennessee, and Rhode Island reported not having a specific state certification deadline, ⁹⁹ and the District of Columbia and Guam noted that their reported dates were tentative deadlines. Additionally, Alaska commented that their reported date was a target deadline, and North Carolina noted their reported deadline was barring recounts or

protests in individual races.

⁹⁹ Tennessee and Pennsylvania noted that their reported deadlines apply to county officials, not state officials.

Appendix A: Descriptive Tables

Policy Survey Table 1: Voter Registration Database Type

Alabama J — — — — — — — — — — — — — — — — —	State	Top down	Bottom up	Hybrid	If bottom up or hybrid: How often do jurisdictions transmit registration information?
American Samoa √ - - - - - Arkansas - √ - - Dally Caltime Arkansas - √ - - Dally Caltime Colorado √ - <td>Alabama</td> <td>✓</td> <td></td> <td></td> <td>-</td>	Alabama	✓			-
Arizona - - V Real time Arkansas - V - Daily California - V - Real time Colorado V - - - Connecticut - - - - Delaware V - - - - District of Columbia V -	Alaska	✓			
Arkansas - √ - Daily California - √ - Real time Colorado √ - - - Connecticut - √ - - - Delaware √ - - - - - District of Columbia √ -	American Samoa	✓			
California - - Real time Colorado - <td>Arizona</td> <td>-</td> <td>-</td> <td>✓</td> <td>Real time</td>	Arizona	-	-	✓	Real time
Colorado J - - - - - Real time - Delaware J -	Arkansas		✓		Daily
Connecticut - √ - Real time Delaware √ - - - District of Columbia √ - - - Florida √ - - - - Georgia √ -	California	-	✓		Real time
Delaware J - - - District of Columbia J - - - Florida J - - - Georgia J - - - Guam J - - - Hawaii - - - - Idaho J - - - Illinois [1] - J - - Illinois [2] - - - - Mansac J -	Colorado	✓			
District of Columbia √ -	Connecticut	-	✓		Real time
Florida Georgia Goum Guam Delaware	✓				
Georgia √ - - - Guam √ - - - - Hawaii - - √ Real time Idaho √ - - - - Illinois [1] - √ - - Other Indiana √ - - - - Iowa √ - - - - Kansas √ - - - - Kentucky √ - - - - Kentucky √ - - - - Louisiana √ -	District of Columbia	✓			-
Guam √ - <td>Florida</td> <td>✓</td> <td></td> <td></td> <td></td>	Florida	✓			
Hawaii - - √ Real time Idaho √ - - - Illinois [1] - √ - - - Indiana √ - - - - Iowa √ - - - - - Kansas √ -	Georgia	✓	-		-
Idaho J - - - - - Illinois [1] - J - Other Indiana J - </td <td>Guam</td> <td>✓</td> <td></td> <td></td> <td></td>	Guam	✓			
Illinois [1]	Hawaii			✓	Real time
Indiana	Idaho	✓			
Iowa ✓ - - - Kansas ✓ - - - Kentucky ✓ - - - Louisiana ✓ - - - Maine - - ✓ Real time Maryland ✓ - - - Massachusetts ✓ - - - Michigan ✓ - - - Minnesota [2] - - - - Mississisppi - ✓ - Real time Missouri ✓ - - - Montana ✓ - - - Nebraska ✓ - - - Nevada - ✓ - - New Hampshire ✓ - - - New Jersey ✓ - - - New Mexico ✓ - - - New York - - - Real time	Illinois [1]		✓		Other
Kansas √ - - - Kentucky √ - - - Louisiana √ - - - Maine - - √ Real time Maryland √ - - - Maryland √ - - - Missachusetts √ - - - Michigan √ - - - Minnesota [2] - - - - Mississippi - √ - Real time Missouri √ - - - - Missouri √ - - - - Nebraska √ - - - - Nevada - √ - - - New Hampshire √ - - - - New Mexico √ - - - - New York - - - - - <td>Indiana</td> <td>✓</td> <td></td> <td></td> <td></td>	Indiana	✓			
Kentucky J - - - Louisiana J - - - Maine - - J Real time Maryland J - - - Maryland J - - - Missachusetts J - - - Michigan J - - - Minnesota [2] - - - - Mississippi - J - Real time Missouri J - - - - Montana J - - - - Nebraska J - - - - Nevada - J - - - New Hampshire J - - - - New Mexico J - - - - New York - - - - -	lowa	✓			-
Louisiana ✓ -	Kansas	✓			
Maine - - ✓ Real time Maryland ✓ - - - Massachusetts ✓ - - - Michigan ✓ - - - Minnesota [2] - - - - Mississippi - ✓ - Real time Missouri ✓ - - - Montana ✓ - - - Nebraska ✓ - - - Nevada - ✓ - - - New Hampshire ✓ - - - - New Jersey ✓ - - - - New Mexico ✓ - - - - New York - ✓ - - Real time	Kentucky	✓			_
Maryland √ Massachusetts √ Michigan √ Minnesota [2] Mississippi Real time Missouri √ Montana √ Nebraska √ Nevada √ Daily New Hampshire √ New Jersey √ New York √ Real time	Louisiana	✓			
Massachusetts √ Michigan √ Minnesota [2] Mississippi Real time Missouri √ Montana √ Nebraska √ New Hampshire √ New Mexico √ Real time -	Maine			✓	Real time
Michigan ✓ Minnesota [2] Mississippi ✓ Real time Missouri ✓ Montana ✓ Nebraska ✓ Nevada ✓ Daily New Hampshire ✓ New Jersey ✓ New Mexico ✓ Real time	Maryland	✓			
Minnesota [2] - - - - - - Real time Missouri ✓ -	Massachusetts	✓			_
Minnesota [2] - - - - - - Real time Missouri ✓ -	Michigan	✓			
Missouri ✓ Montana ✓ Nebraska ✓ Nevada ✓ Daily New Hampshire ✓ New Jersey ✓ New Mexico ✓ Real time					_
Missouri ✓ Montana ✓ Nebraska ✓ Nevada ✓ Daily New Hampshire ✓ New Jersey ✓ New Mexico ✓ Real time			√		Real time
Nebraska ✓ Daily New Hampshire ✓ New Jersey ✓ New Mexico ✓ Real time		✓			_
Nebraska ✓ Daily New Hampshire ✓ New Jersey ✓ New Mexico ✓ Real time					
Nevada - ✓ - Daily New Hampshire ✓ - - - New Jersey ✓ - - - New Mexico ✓ - - - New York - ✓ - Real time					
New Hampshire ✓ New Jersey ✓ New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey New Jersey			√		Daily
New Jersey ✓ New Mexico ✓ New York ✓ Real time		✓			
New Mexico ✓ Real time New York - ✓ Real time	•				
New York - ✓ Real time	-				-
			√		Real time
		✓			-



State	Top down	Bottom up	Hybrid	If bottom up or hybrid: How often do jurisdictions transmit registration information?
North Dakota	✓			
Northern Mariana Islands [3]			✓	Other
Ohio		✓		Real time
Oklahoma	✓	-		
Oregon	✓			
Pennsylvania	✓	-		
Puerto Rico		✓		Real time
Rhode Island			✓	Real time
South Carolina	✓			
South Dakota	✓			
Tennessee		✓		Daily
Texas [4]		-	✓	Other
U.S. Virgin Islands	✓			
Utah		✓		Daily
Vermont	✓			
Virginia	✓			
Washington	✓	-		
West Virginia	✓			-
Wisconsin	✓			
Wyoming	✓	-		-

Policy Survey Table 1 Calculation Notes:

Top down, Bottom up, and Hybrid uses question Q4.

How often do jurisdictions transmit registration information uses question Q4a.

Policy Survey Table 1 Data Notes:

General Notes:

- States were only able to select single responses to both Q4 and Q4a.
- [1] Illinois reported that "If the jurisdiction[']s vendor has web services, the information is uploaded in real time. However, those without web [servers] send a batch every night."
- [2] Minnesota did not provide a response to these items.
- [3] In the Northern Mariana Islands, "Information [is] retrieved upon request."
- [4] Texas reported that the approximately 215 counties categorized as "online" counties transmit registration information in real time, whereas the 39 counties categorized as "offline" counties transmit registration information daily.

Policy Survey Table 2: Electronic Information Sharing With Government Entities

State	Motor vehicles agencies	Agencies for people with disabilities	State public assistance agencies	Other state agencies	Federal agencies
Alabama	Daily	_		-	
Alaska [1]	Daily			Other	
American Samoa					
Arizona	Real time				
Arkansas	Daily				
California	Real time				
Colorado	Daily				
Connecticut [2]	Real time	-			
Delaware [3]	Real time	-	Other		
District of Columbia [4]	Real time	-		-	
Florida	Daily	-			
Georgia	Daily	-		-	
Guam					
Hawaii [5]	Other	-		-	
Idaho		-			
Illinois	Daily	Daily	Daily	Real time	
Indiana	Daily				
Iowa	Daily	_		-	
Kansas	Daily				
Kentucky [6]	Real time	Daily	Daily		
Louisiana	Daily	-			
Maine		-			
Maryland [7]	Daily	Daily	Daily	Daily	
Massachusetts	Daily	_	Daily	-	
Michigan	Daily	-			
Minnesota	Daily	-			
Mississippi	Daily				
Missouri					
Montana	Weekly				
Nebraska [8]	Other	-		-	-
Nevada	Daily				
New Hampshire [9]	Other	-		-	Other
New Jersey	Daily	-			
New Mexico	Daily	-		-	
New York	Daily	-		-	
North Carolina	Daily	-		-	



State	Motor vehicles agencies	Agencies for people with disabilities	State public assistance agencies	Other state agencies	Federal agencies
North Dakota	Daily				
Northern Mariana Islands [10]					
Ohio	Daily				
Oklahoma [11]	Other				
Oregon [12]	Other				
Pennsylvania	Daily	Real time	Real time		
Puerto Rico					
Rhode Island	Real time				
South Carolina	Weekly	Weekly	Weekly		
South Dakota	Daily				
Tennessee	Monthly				
Texas	Daily				
U.S. Virgin Islands [13]				Other	
Utah [14]	Daily	Weekly	Weekly	Weekly	Weekly
Vermont	Daily				
Virginia	Real time				
Washington	Real time	Real time	Real time	Real time	
West Virginia	Daily				
Wisconsin [15]	Daily				
Wyoming	Daily				

State	Military recruiting offices	Entities that maintain death records	Entities that maintain felony records	Entities that maintain records of individuals declared mentally incompetent
Alabama	-	Daily	Daily	
Alaska [1]	-	-	-	-
American Samoa	-	Monthly	Monthly	-
Arizona	-	-	-	-
Arkansas	-	Monthly	Monthly	-
California	-	Weekly	Monthly	Monthly
Colorado		Monthly	Weekly	
Connecticut [2]		Monthly	Monthly	Other
Delaware [3]	-	Monthly		
District of Columbia [4]	-	Other	-	
Florida	-	Daily	Daily	-
Georgia		Weekly	Monthly	Monthly
Guam	_		-	-
Hawaii [5]		Monthly		
Idaho	_	Monthly	Monthly	-
Illinois	_	Monthly	Monthly	
Indiana		Monthly	Monthly	
Iowa		Monthly		
Kansas		Weekly	Weekly	
Kentucky [6]	Other	Weekly	Weekly	Daily
Louisiana		Monthly	Monthly	
Maine	_	Monthly		
Maryland [7]	_	Monthly	Monthly	Other
Massachusetts	_			
Michigan	_	Weekly	Daily	
Minnesota	_	Monthly	Monthly	Monthly
Mississippi	_	Monthly	Daily	
Missouri	_	Monthly	Monthly	_
Montana	_	Monthly	Weekly	
Nebraska [8]		Weekly	Monthly	
Nevada		Daily	Wioriting	
New Hampshire [9]		Other		
	-		Wookh	
New Mexico		Weekly	Weekly	
New Mexico	-	Monthly	Month!	Monthly
New York	-	Monthly	Monthly	Monthly
North Carolina	-	Monthly	Daily	-
North Dakota	_		-	_



State	Military recruiting offices	Entities that maintain death records	Entities that maintain felony records	Entities that maintain records of individuals declared mentally incompetent
Northern Mariana Islands [10]				-
Ohio		Monthly		
Oklahoma [11]		Monthly	Monthly	
Oregon [12]				
Pennsylvania	-	Weekly	-	
Puerto Rico		Real time		
Rhode Island				-
South Carolina		Monthly	Monthly	
South Dakota		Daily	Daily	
Tennessee		Monthly	Monthly	
Texas	-	Weekly	Weekly	
U.S. Virgin Islands [13]				
Utah [14]	Monthly	Other	Monthly	Other
Vermont				
Virginia		Monthly	Monthly	Monthly
Washington		Monthly	Monthly	Monthly
West Virginia		Monthly	Monthly	
Wisconsin [15]		Monthly	Daily	
Wyoming		Weekly	Weekly	-

Policy Survey Table 2 Calculation Notes:

Motor vehicles agency uses questions Q5a_1 and Q5a_2.

Agencies for people with disabilities uses questions Q5b_1 and Q5b_2.

State public assistance agencies uses questions Q5c_1 and Q5c_2.

Other state agencies uses questions Q5d_1 and Q5d_2.

Federal agencies uses questions Q5e_1 and Q5e_2.

Military recruiting offices uses questions Q5f_1 and Q5f_2.

Entities that maintain death records uses questions Q5g_1 and Q5g_2.

Entities that maintain felony records uses questions Q5h_1 and Q5h_2.

Entities that maintain records of individuals declared mentally incompetent uses questions Q5i_1 and Q5i_2.

Policy Survey Table 2 Data Notes:

General Notes:

States were only able to select a single response to Q5a_2-Q5i_2.

[1] Alaska reported that electronic information sharing with other, non-NVRA-required state agencies occurs after the March 31 deadline to apply for the Permanent Fund Dividend has passed. This typically involves one data file transfer.

- [2] Connecticut reported sharing electronic information with entities that maintain records of individuals declared mentally incompetent on an as-needed basis.
- [3] Delaware reported that information is transmitted to state public assistance agencies at the moment the information is submitted to the voter portal by a client.
- [4] The District of Columbia reported that information is shared with entities that maintain death records on a quarterly basis.
- [5] Hawaii reported that voter information is shared with its motor vehicle agency upon request.
- [6] Kentucky reported that it shares voter information with military recruiting offices as requests occur.
- [7] Maryland reported that it is notified as needed by the Maryland Judiciary when a person is declared mentally incompetent by order of the courts.
- [8] Nebraska conducts real-time checks of driver's license, state identifications, and SSN information on file with the motor vehicles agency. Daily transfers are conducted with the motor vehicle agency for voter registrations that occur at the agency, surrendered IDs, changed IDs, or SSNs needing verification from the Social Security Administration.
- [9] New Hampshire reported that it shares voter information with the motor vehicles agency, federal agencies, and entities that maintain felony records in a one-way exchange from the agencies to the election office.
- [10] The Northern Mariana Islands did not provide a response to these items.
- [11] Oklahoma reported that offices that have converted to the Department of Public Safety's (DPS) new system share data daily. Offices that have not yet converted to the new system can only send address change data, and that data is sent weekly. Information regarding Oklahoma driver's licenses surrendered in another state is received monthly.
- [12] Oregon reported that information is exchanged with the motor vehicles agency Monday through Friday.
- [13] The U.S. Virgin Islands reported that information is exchanged with other state agencies at the request of the court.
- [14] Utah reported that information is exchanged with entities that maintain death records on a bimonthly basis and entities that maintain records of individuals declared mentally incompetent as needed.
- [15] Wisconsin receives competency data electronically from the courts.



Policy Survey Table 3: Online Voter Registration Policies

State	Individuals can register to vote and update their registration via the system	Individuals can update their registration via the system	State-issued driver's license or ID is required to use this system
Alabama	✓		Yes
Alaska	✓		Yes
American Samoa	-		
Arizona	✓		Yes
Arkansas	-		
California	✓		No
Colorado	√		Yes
Connecticut	√		Yes
Delaware	√		Yes
District of Columbia	√		No
Florida	√		Yes
Georgia	√		Yes
Guam	√		Yes
Hawaii	√		Yes
Idaho	√		Yes
Illinois	\checkmark		Yes
Indiana	√		Yes
lowa	√		Yes
Kansas	√		Yes
Kentucky	\checkmark		No
Louisiana	√		Yes
Maine			
Maryland	√		Yes
Massachusetts	√		Yes
Michigan	√		Yes
Minnesota	\checkmark		No
Mississippi		√	Yes
Missouri	√		No
Montana			
Nebraska	√		Yes
Nevada	√		Yes
New Hampshire			
New Jersey	√		Yes
New Mexico	√		Yes
New York	√		Yes
North Carolina	√		Yes
North Dakota [1]			
Northern Mariana Islands	-	-	-

State	Individuals can register to vote and update their registration via the system	Individuals can update their registration via the system	State-issued driver's license or ID is required to use this system
Ohio	✓		Yes
Oklahoma	\checkmark		No
Oregon	✓		Yes
Pennsylvania	✓	-	No
Puerto Rico			
Rhode Island	✓	-	Yes
South Carolina	✓		Yes
South Dakota		-	
Tennessee	✓		Yes
Texas		√	Yes
U.S. Virgin Islands			
Utah	✓	-	Yes
Vermont	✓		No
Virginia	✓		Yes
Washington	✓		Yes
West Virginia	✓	-	Yes
Wisconsin	√		Yes
Wyoming		-	

Policy Survey Table 3 Calculation Notes:

Individuals can register to vote and update their registration via the system uses question Q7. Individuals can update their registration via the system uses question Q7.

A driver's license or state-issued ID is required to use this system uses question Q7a.

Policy Survey Table 3 Data Notes:

General Notes:

• States were only able to select a single response to both Q7 and Q7a.

[1] North Dakota does not have voter registration.



Policy Survey Table 4: State Voting by Mail Election Policies

State	Excuse required for mail voting	State or jurisdiction conducts all-mail election	Permanent absentee voting allowed	Who can be a permanent absentee voter
Alabama	√		Yes, individuals who meet specific criteria	Persons with disabilities
Alaska				
American Samoa	✓			
Arizona			Yes, any registrant	-
Arkansas	✓			
California		Statewide	Yes, any registrant	-
Colorado		Statewide		
Connecticut	√		Yes, individuals who meet specific criteria	Persons with disabilities
Delaware	-	-	Yes, individuals who meet specific criteria	Federal or state workers and their spouses or dependents, members of the uniformed services, voters who are sick or disabled (temporarily or permanently), voters temporarily residing outside the United States and their spouses or dependents
District of Columbia	-	Statewide	Yes, any registrant	-
Florida	✓		-	-
Georgia				
Guam	✓			
Hawaii		Statewide		-
ldaho		Only certain jurisdictions		
Illinois				-
Indiana	√			-
lowa				-
Kansas			Yes, individuals who meet specific criteria	Persons with disabilities
Kentucky	✓	-		-
Louisiana	√		Yes, individuals who meet specific criteria	Individuals over a specified age, persons with disabilities
Maine	-	-	-	-
Maryland				

State	Excuse required for mail voting	State or jurisdiction conducts all-mail election	Permanent absentee voting allowed	Who can be a permanent absentee voter	
Massachusetts		who meet specific note		Persons who provide a note from a medical professional	
Michigan		Yes, any registrant			
Minnesota		Only certain jurisdictions Yes, any registrar		-	
Mississippi	√		Yes, individuals who meet specific Person		
Missouri		-	Yes, individuals who meet specific criteria	Persons with disabilities	
Montana		Only certain jurisdictions	Yes, any registrant		
Nebraska	-	Only certain jurisdictions	-	-	
Nevada		Statewide	Yes, any registrant		
New Hampshire	✓				
New Jersey		Statewide	Yes, any registrant		
New Mexico				-	
New York	√		Yes, individuals who meet specific criteria	Persons with disabilities, voters who claim permanent illness	
North Carolina		-	-	_	
North Dakota					
Northern Mariana Islands	-		-	-	
Ohio		-	-		
Oklahoma					
Oregon [1]		Statewide	Yes, individuals who meet specific criteria	Persons registered as Oregon voters but who are away from their Oregon residences when ballots are available	
Pennsylvania [2]	✓		Yes, any registrant		
Puerto Rico	✓				
Rhode Island			Yes, individuals who meet specific criteria	Persons with disabilities	
South Carolina					
South Dakota					
Tennessee	✓		Yes, individuals who meet specific criteria	Persons with disabilities, persons who have a doctor certify that they are unable to go to the polls	
Texas	✓	-	-	=	
U.S. Virgin Islands			-	-	



State	Excuse required for mail voting	State or jurisdiction conducts all-mail election	Permanent absentee voting allowed	Who can be a permanent absentee voter
Utah		Statewide	Yes, any registrant	
Vermont		Statewide		
Virginia			Yes, any registrant	-
Washington		Statewide	Yes, any registrant	
West Virginia	✓	-	Yes, individuals who meet specific criteria	Persons with disabilities, participants in the West Virginia Address Confidentiality Program
Wisconsin			Yes, individuals who meet specific criteria	Persons with disabilities; persons who certify that they are indefinitely confined due to age, illness, infirmity, or disability
Wyoming				-

Policy Survey Table 4 Calculation Notes:

Excuse required for mail voting uses question Q17.

State or jurisdiction conducts all-mail election uses questions Q18 and Q18a.

Permanent absentee voting allowed uses question Q19.

Who can be a permanent absentee voter uses questions Q19a_1, Q19a_2, and Q19a_3.

Policy Survey Table 4 Data Notes:

General Notes:

- States were only able to select a single response to Q17-Q19. Multiple responses were accepted for the Q19a items.
- The Policy Survey did not collect information on whether changes in states' laws regarding all-voteby-mail elections for 2020 were permanent or temporary or whether the changes were made in direct response to the COVID-19 pandemic.
- [1] Although Oregon is a vote-by-mail state, there are still individuals who are considered absentee voters. Anyone who is registered as an Oregon voter but is away from their Oregon residence when ballots are available can request to be a permanent absentee voter if Oregon remains their primary residence.
- [2] Pennsylvania provides both absentee and mail voting options. Voters who apply for an absentee ballot must give a reason for voting absentee. Voters who apply for a mailed ballot are not required to give a reason.

Policy Survey Table 5: Mail Voting Deadlines for UOCAVA and Non-UOCAVA Voters

	Mail voters		Domestic military UOCAVA voters		Overseas UOCAVA voters	
State	Postmarked by	Received by	Postmarked by	Received by	Postmarked by	Received by
Alabama	1 day before Election Day	Election Day	Election Day	7 days after Election Day	Election Day	7 days after Election Day
Alaska	Election Day	10 days after Election Day	Election Day	10 days after Election Day	Election Day	15 days after Election Day
American Samoa	Election Day	Election Day	Election Day	Election Day	Election Day	Election Day
Arizona	-	Election Day	-	Election Day		Election Day
Arkansas [1]		Election Day		10 days after Election Day		10 days after Election Day
California [2]	Election Day	17 days after Election Day	Election Day	17 days after Election Day	Election Day	17 days after Election Day
Colorado		Election Day		8 days after Election Day		8 days after Election Day
Connecticut	Election Day	Election Day	Election Day	Election Day	Election Day	Election Day
Delaware		Election Day		Election Day		Election Day
District of Columbia	Election Day	10 days after Election Day	Election Day	10 days after Election Day	Election Day	10 days after Election Day
Florida [3]		Election Day		Election Day		10 days after Election Day
Georgia	-	Election Day	Election Day	3 days after Election Day	Election Day	3 days after Election Day
Guam [4]	Election Day	10 days after Election Day	Election Day	10 days after Election Day	Election Day	10 days after Election Day
Hawaii [5]	-	Election Day	-	Election Day	-	Election Day
Idaho		Election Day	-	Election Day	-	Election Day
Illinois	Election Day	14 days after Election Day	Election Day	14 days after Election Day	Election Day	14 days after Election Day
Indiana [6]		Election Day	Election Day	10 days after Election Day	Election Day	10 days after Election Day
lowa [7]	1 day before Election Day	6 days after Election Day	1 day before Election Day	6 days after Election Day	1 day before Election Day	6 days after Election Day
Kansas	Election Day	3 days after Election Day	Election Day	Election Day	Election Day	Election Day
Kentucky [8]	Election Day	Election Day	Election Day	3 days after Election Day	Election Day	3 days after Election Day
Louisiana		1 day before Election Day		Election Day		Election Day
Maine [9]		Election Day		Election Day	-	Election Day
Maryland	Election Day	10 days after Election Day	Election Day	10 days after Election Day	Election Day	10 days after Election Day
Massachusetts	Election Day	3 days after Election Day	Election Day	3 days after Election Day	Election Day	10 days after Election Day



	Mail voters		Domestic military UOCAVA voters		Overseas UOCAVA voters	
State	Postmarked by	Received by	Postmarked by	Received by	Postmarked by	Received by
Michigan	Election Day	Election Day	Election Day	Election Day	Election Day	Election Day
Minnesota [10]		Election Day		Election Day		Election Day
Mississippi [11]	Election Day	5 days after Election Day	Election Day	5 days after Election Day	Election Day	5 days after Election Day
Missouri		Election Day	Election Day	3 days after Election Day	Election Day	3 days after Election Day
Montana	Election Day	Election Day	Election Day	Election Day	Election Day	Election Day
Nebraska [12]		Election Day	-	Election Day	-	Election Day
Nevada	Election Day	7 days after Election Day	Election Day	7 days after Election Day	Election Day	7 days after Election Day
New Hampshire [13]	-	Election Day	-	Election Day	-	Election Day
New Jersey [14]	Election Day	7 days after Election Day	Election Day	7 days after Election Day	Election Day	7 days after Election Day
New Mexico [15]		Election Day		Election Day		Election Day
New York	Election Day	7 days after Election Day	Election Day	13 days after Election Day	Election Day	13 days after Election Day
North Carolina [16]	Election Day	9 days after Election Day		9 days after Election Day		9 days after Election Day
North Dakota	1 day before Election Day	6 days after Election Day	1 day before Election Day	6 days after Election Day	1 day before Election Day	6 days after Election Day
Northern Mariana Islands	Election Day	14 days after Election Day	Election Day	14 days after Election Day	Election Day	14 days after Election Day
Ohio	1 day before Election Day	10 days after Election Day		10 days after Election Day		10 days after Election Day
Oklahoma [17]		Election Day		Election Day		Election Day
Oregon [18]		Election Day		Election Day		Election Day
Pennsylvania [19]		Election Day	1 day before Election Day	7 days after Election Day	1 day before Election Day	7 days after Election Day
Puerto Rico [20]	Election Day	14 days after Election Day	Election Day	14 days after Election Day	Election Day	14 days after Election Day
Rhode Island		Election Day		7 days after Election Day		7 days after Election Day
South Carolina		Election Day		2 days after Election Day		2 days after Election Day
South Dakota [21]		Election Day	-	Election Day	-	Election Day
Tennessee [22]	-	Election Day	-	Election Day	-	Election Day
Texas [23]	Election Day	1 day after Election Day	-	6 days after Election Day	Election Day	5 days after Election Day
U.S. Virgin Islands [24]	Election Day	10 days after Election Day	Election Day	10 days after Election Day	Election Day	10 days after Election Day
Utah [25]	1 day before Election Day	13 days after Election Day	Election Day	13 days after Election Day	Election Day	13 days after Election Day

State	Mail voters			c military A voters	Overseas UOCAVA voters		
State	Postmarked by	Received by	Postmarked by	Received by	Postmarked by	Received by	
Vermont		Election Day		Election Day		Election Day	
Virginia [26]	Election Day	3 days after Election Day	Election Day	3 days after Election Day	Election Day	3 days after Election Day	
Washington [27]	Election Day	20 days after Election Day		20 days after Election Day		20 days after Election Day	
West Virginia [28]	Election Day	5 days after Election Day		5 days after Election Day	-	5 days after Election Day	
Wisconsin [29]	Election Day	Election Day	Election Day	Election Day	Election Day	Election Day	
Wyoming		Election Day		Election Day		Election Day	

Policy Survey Table 5 Calculation Notes:

Mail voters, Postmarked by uses questions Q20_1_1, Q20_1_10E, Q20_1_2, and Q20_1_3.

Mail voters, Received by uses questions Q20_2_1, Q20_2_10E, Q20_2_2, Q20_2_3, Q20_2_30E, and Q20_2_4.

Domestic military UOCAVA voters, Postmarked by uses questions Q29_1_1, Q29_1_10E, Q29_1_2, and Q29_1_3.

Domestic military UOCAVA voters, Received by uses questions Q29_2_1, Q29_2_10E, Q29_2_2, Q29_2_3, Q29_2_30E, and Q29_2_4.

Overseas UOCAVA voters, Postmarked by uses questions Q30_1_1, Q30_1_10E, Q30_1_2, and Q30_1_3. Overseas UOCAVA voters, Received by uses questions Q30_2_1, Q30_2_10E, Q30_2_2, Q30_2_3, Q30_2_30E, and Q30_2_4.

Policy Survey Table 5 Data Notes:

General Notes:

- States were able to select multiple responses to each set of postmark and receipt deadline items through Q20, Q29, and Q30, although none of the states did so.
- [1] Arkansas noted in a survey comment that mailed ballots must be received by 7:30 p.m. (close of polls).
- [2] California noted in a survey comment that "For the November 3, 2020, general election, the deadline for a [mailed] ballot to be received by county elections officials is extended from 3 to 17 days after Election Day."
- [3] Florida noted in a survey comment that the deadline for mailed ballots is "7 pm local time deadline for domestic ballots 10 day extension for overseas voters."
- [4] Guam noted in a survey comment that "[B]allots must be received 10 business days after the election."
- [5] Hawaii noted in a survey comment that "Regardless of postmark date, ballots must be received by the County Elections Division by 7:00 p.m. on Election Day."
- [6] Indiana noted in a survey comment that the deadline for mailed ballots is "Noon, local prevailing time."
- [7] lowa noted in a survey comment that "[mailed] ballots must be postmarked or the ImB [Intelligent Mail barcode] tracking bar code must show that the ballot was entered into the mail stream before election day. Ballots must be received by 12:00 noon on the Monday after the election."
- [8] Kentucky noted in a survey comment that "If a [mailed] ballot is postmarked on or before 11/3 it must be received by 11/6. If a ballot is placed in a drop-box or delivered to a Clerk's office, it must be delivered by 6PM local time, 11/3."



- [9] Maine noted in a survey comment that "[Mailed] ballot[s] must be received by 8:00 pm on Election Day."
- [10] Minnesota noted in a survey comment that for mailed ballots in the 2020 general election, "consent decree changes this to postmarked on or before election day and received by 11/10."
- [11] In Mississippi, ballots returned by mail must be postmarked by Election Day and received by the end of five business days after Election Day. Mail ballots returned by email or fax must be returned by 7:00 p.m. on the date of the election.
- [12] Nebraska noted in a survey comment that "[Mailed ballots] must be received by close of polls on election day."
- [13] New Hampshire noted in a survey comment that "Absentee ballots, including all UOCAVA voters absentee ballots, must be received no later than 5 p.m. on Election Day."
- [14] New Jersey noted in a survey comment that the deadline for UOCAVA ballots is "Email and fax 8:00 pm election day."
- [15] New Mexico noted in a survey comment that "ballots must be received by 7pm on election day."
- [16] North Carolina noted in a survey comment that the "change from 3 days to 9 days approved by consent judgment in settlement between NCSBE [North Carolina State Board of Elections] and plaintiffs in the NC Alliance case which included extension of the civilian ballot mail return deadline for 2020. For remaining elections in 2020, a ballot shall be considered postmarked by Election Day if it has a postmark affixed to it or if there is information in BallotTrax, or another tracking service offered by the USPS or a commercial carrier, indicating that the ballot was in the custody of USPS or the commercial carrier on or before Election Day."
- [17] Oklahoma noted in a survey comment that "State law requires that a returned absentee ballot be received in the hands of the County Election Board Secretary by 7 p.m. (CST) on election day for it to be processed and counted."
- [18] Oregon noted that all ballots, including UOCAVA ballots, must be received by 8:00 p.m.
- [19] Pennsylvania noted that, by law, civilian ballots must be received by 8:00 p.m. on Election Day to be eligible for canvassing.
- [20] Puerto Rico noted in a survey comment that the "PR Electoral Code haven't established a certain date to finish the General Election Scrutiny (canvass). Electoral Code establish that the ballot must be receive[d] before the General [Election] Scrutiny finished. Refer to Article 10.7 of Act 58 of 2020. Generally it took around 30 days after the election date. We established 14 days because it[']s one of the options given by the system."
- [21] South Dakota noted in a survey comment that "The voted [mailed] ballot MUST be received by your County Election Official on Election Day in enough time to deliver your ballot to your voting precinct before the polls close."
- [22] Tennessee noted in a survey comment that mailed ballots must be received by "close of polls."
- [23] Texas noted in a survey comment that "For [mailed] ballots arriving by 5 p.m. the day after election day, they must be post marked no later than election day."
- [24] The U.S. Virgin Islands noted in a survey comment that "The [mailed] ballot must be placed in the mail by Election Day (postmark not required) and the ballot has ten (10) days to arrive to our office."
- [25] Utah noted in a survey comment that "20a-3a-401(5)(d)(ii) = if the election officer receives the affidavit no later than 5 p.m. the day before the canvass, count the individual's [mailed] ballot."
- [26] Virginia noted in a survey comment that "Further extensions apply if the [mailed] ballot was requested prior to the 45-day deadline and not sent by that date."
- [27] Washington noted in a survey comment that "The ballot must be received by the day before the County Canvassing Board certifies the county's election results. In November 2020, that certification date is November 24, so ballots must be received by November 23. This gives voters a 20-day window for the

November General Election." For "overseas voters and service voters," the date on the declaration to which the voter has attested determines the validity of the time of voting for that ballot.

[28] West Virginia noted that ballots must be received by the fifth day after the election that is not a Saturday, Sunday, or legal holiday.

[29] Wisconsin state statutes do not contain a postmark requirement. Absentee ballots may be delivered to the local clerk so long as they are received before polls close.



Policy Survey Table 6: Electronic Ballot Transmission for Voters

State	Voters cannot receive ballots electronically	During emergency situations	When a replacement ballot is needed	Voters with specific disability	Voters with any disability	Any circumstance	Other
Alabama	✓					-	
Alaska	-		-			✓	
American Samoa	✓					-	
Arizona	✓					-	
Arkansas	✓		-		-	-	
California [1]			-	-	√	-	✓
Colorado	-	√	-		√	-	
Connecticut	✓					-	
Delaware [2]	-		-		√	-	√
District of Columbia	-	-		-	√	-	-
Florida	✓					-	
Georgia	✓	-		-	-	-	-
Guam		_			_	✓	
Hawaii [3]		-		-	✓	-	✓
Idaho	✓	_			_		-
Illinois	✓	-	-		-	-	-
Indiana	✓	-			_		-
Iowa	✓	-	-		-	-	-
Kansas	✓		-			-	
Kentucky		-		-	-	✓	-
Louisiana			-		√	-	
Maine [4]	-	√	-		-	-	✓
Maryland			-		-	✓	
Massachusetts [5]		-	-	-	-	-	✓
Michigan	✓	-			-	-	
Minnesota			-	-	√	-	
Mississippi [6]	-	-			-	-	✓
Missouri		✓	-			-	-
Montana		-	-	✓		-	
Nebraska	✓		-			-	-
Nevada		√	√		√	-	-
New Hampshire			-	✓		-	-
New Jersey	✓	-				-	
New Mexico				✓		-	
New York [7]	-				√	-	✓
North Carolina				✓		-	
North Dakota	✓		-			-	

State	Voters cannot receive ballots electronically	During emergency situations	When a replacement ballot is needed	Voters with specific disability	Voters with any disability	Any circumstance	Other
Northern Mariana Islands	✓	-	-	-	-	-	-
Ohio					✓	-	
Oklahoma	✓	-	-	-	-	-	-
Oregon		-				✓	-
Pennsylvania [8]		-		-	-	-	✓
Puerto Rico	✓					-	
Rhode Island	✓	-		-		-	-
South Carolina	✓	-				-	
South Dakota	✓	-		-	-	-	
Tennessee	✓					-	-
Texas	✓	-		-	-	-	
U.S. Virgin Islands		√	✓	√	√	-	-
Utah		√		-	✓	-	-
Vermont	✓	-				-	
Virginia	-	√		✓	-	-	
Washington		-				✓	-
West Virginia	-	-	-	✓	-	-	-
Wisconsin	✓					-	-
Wyoming	✓	-				-	

Policy Survey Table 6 Calculation Notes:

Voters cannot receive ballots electronically uses question Q23_1.

During emergency situations uses question Q23_2.

When a replacement ballot is needed uses question Q23_3.

Voters with specific disability uses question Q23_4.

Voters with any disability uses question Q23_5.

Voters may receive a ballot electronically for any circumstance uses question Q23_6.

Other uses question Q23_7.

Policy Survey Table 6 Data Notes:

General Notes:

- States were able to select multiple responses to Q23 items; however, selecting Q23_1 excluded all other response choices.
- Q23 collected information on electronic ballot transmission for non-UOCAVA voters only. Voters covered by UOCAVA may receive ballots electronically under the MOVE Act.

[1] In the November 3, 2020, general election, California county election officials permitted any voter to cast a ballot using a certified remote accessible vote-by-mail system.

[2] Delaware specified that voters who are sick or physically disabled, whether temporarily or permanently, can receive ballots electronically.



- [3] Hawaii reported allowing voters to receive ballots electronically when a replacement ballot is needed and is requested within five days of the election.
- [4] Maine reported allowing voters who self-identify as having a print disability to receive ballots electronically.
- [5] Massachusetts specified that voters with a disability that prevents them from privately and independently marking a paper ballot can receive ballots electronically.
- [6] Mississippi's UOCAVA state statute allows emergency responders to qualify for electronic ballots if they are deployed outside their county of residence during a state of emergency.
- [7] New York reported allowing emergency responders to receive ballots electronically.
- [8] Pennsylvania specified that voters with any disability as defined by the Americans with Disabilities Act can receive a ballot electronically.

Policy Survey Table 7: In-Person Voting Before Election Day

State	Terminology used to describe casting a ballot in person before Election Day	Excuse required for in-person voting before Election Day
Alabama	In-person absentee voting	√
Alaska	In-person early voting, in-person absentee voting	-
American Samoa	Local absentee voting	✓
Arizona	In-person early voting	-
Arkansas	In-person early voting	
California	In-person early voting	-
Colorado	In-person early voting	
Connecticut [1]	Other	✓
Delaware	In-person absentee voting	✓
District of Columbia	In-person early voting	_
Florida	In-person early voting	
Georgia	Advance voting	-
Guam	In-person absentee voting	
Hawaii	In-person voting	-
Idaho	In-person early voting, in-person absentee voting	
Illinois	In-person early voting	
Indiana	In-person absentee voting	
Iowa	In-person absentee voting	-
Kansas	In-person advance voting	
Kentucky	In-person early voting	-
Louisiana	In-person early voting	
Maine	In-person absentee voting	-
Maryland	In-person early voting	
Massachusetts [2]	In-person early voting, in-person absentee voting	✓
Michigan	In-person absentee voting	
Minnesota	In-person absentee voting	-
Mississippi	In-person absentee voting	√
Missouri	In-person absentee voting	✓
Montana	In-person absentee voting	
Nebraska	In-person early voting	-
Nevada	In-person early voting	
New Hampshire	In-person absentee voting	✓
New Jersey	-	
New Mexico	In-person early voting, in-person absentee voting	-
New York	In-person early voting	-
North Carolina	In-person early voting, in-person absentee voting, one stop voting, early voting	
North Dakota	In-person early voting, in-person absentee voting	



State	Terminology used to describe casting a ballot in person before Election Day	Excuse required for in-person voting before Election Day
Northern Mariana Islands	In-person early voting	✓
Ohio	In-person early voting, in-person absentee voting	
Oklahoma	In-person absentee voting	
Oregon [3]	Other	✓
Pennsylvania [4]	Other	\checkmark
Puerto Rico [5]	In-person early voting, other	✓
Rhode Island	In-person absentee voting	
South Carolina [6]	In-person absentee voting	
South Dakota	In-person absentee voting	
Tennessee	In-person early voting	
Texas	In-person early voting	
U.S. Virgin Islands	In-person early voting, in-person absentee voting	
Utah	In-person early voting	
Vermont	In-person early voting, in-person absentee voting	
Virginia	In-person early voting	
Washington [7]	In-person voting	
West Virginia	In-person early voting	-
Wisconsin	In-person absentee voting	
Wyoming	In-person absentee voting	

Policy Survey Table 7 Calculation Notes:

Terminology used to describe casting a ballot in person before Election Day uses questions Q24_1, Q24_2, and Q24_3.

Excuse required for in-person voting before Election Day uses question Q24a.

Policy Survey Table 7 Data Notes:

General Notes:

- States were able to select multiple responses to Q24 items; however, selecting Q24_4 excluded all other response items and is not depicted in the table. States were only able to select a single response to Q24a.
- [1] Connecticut reported that a person can request an absentee ballot and cast it on the spot and not return it by mail.
- [2] In Massachusetts, in-person absentee voting before Election Day requires an excuse but early voting does not.
- [3] Oregon reported that members of specific populations (e.g., those who will not be in Oregon or have access to a regular mailing address when ballots are available) can receive and return a ballot at their county election office. They may choose to cast their vote then and there or take it with them and return via mail or drop box.
- [4] Pennsylvania's 2019 election reforms allow for absentee and mail-in ballots to be completed over the counter at an election office.

- [5] Puerto Rico reported that in addition to in-person early voting, voters may cast their ballot from their residence via mail.
- [6] South Carolina requires an excuse for in-person absentee voting; however, this requirement was temporarily suspended for elections held in 2020.
- [7] Washington is a vote-by-mail state. In-person voters were issued a vote-by-mail ballot packet at a voting center that they could deposit into a ballot drop box or mail. Alternatively, voters could use a disability access unit to vote in person before Election Day.



Policy Survey Table 8: Election Certification, Recounts, and Audits

	Reasons why a jurisdiction in the state may conduct a post- election recount of ballots						
State	General election certification deadline	Results are within a certain margin	By candidate or party request	Results are within a certain margin and a candidate or party has requested a recount	Request by other person or group	By court order only	Post-election tabulation audit policy
Alabama	11/25/2020		✓			-	Not required
Alaska [1]	11/25/2020	✓	✓		✓	-	Required by statute
American Samoa	11/10/2020	-	✓	✓	-	-	Not required
Arizona	11/30/2020					✓	Required by statute
Arkansas [2]	11/18/2020	-	✓		✓	-	Required by statute
California [3]	12/11/2020	✓	✓	✓	✓	-	Required by statute
Colorado	11/25/2020	√	√				Required by statute
Connecticut	11/25/2020	✓				-	Required by statute
Delaware [4]	11/5/2020	✓			-	-	Required by statute
District of Columbia [5]	11/24/2020	✓	✓		-	-	Required by statute
Florida [6]	11/17/2020	✓				-	Required by statute
Georgia [7]	11/20/2020			✓	✓	-	Required by statute
Guam [8]	11/19/2020	✓			-		Not required
Hawaii [9]		✓				-	Required by statute
Idaho [10]	11/13/2020	-	√		√		Not required
Illinois	12/4/2020	-		✓	-	-	Required by statute
Indiana [11]	11/16/2020		✓		✓	-	Required by statute
Iowa	11/30/2020		✓				Required by statute
Kansas [12]	12/1/2020		✓		✓	-	Required by statute
Kentucky	11/23/2020	-	✓		-		Not required
Louisiana [13]	11/19/2020	-		✓	✓		Other
Maine [14]	11/23/2020	-	✓		-		Not required
Maryland	12/8/2020	-	√		-	-	Required by statute
Massachusetts [15]	11/18/2020	-	✓	-	✓	-	Required by statute
Michigan [16]	11/23/2020	✓	✓		✓	-	Required by statute

		Reasons why a jurisdiction in the state may conduct a post-					
			electio	n recount of	ballots		
State	General election certification deadline	Results are within a certain margin	By candidate or party request	Results are within a certain margin and a candidate or party has requested a recount	Request by other person or group	By court order only	Post-election tabulation audit policy
Minnesota [17]	11/24/2020	√	√		√	-	Required by statute
Mississippi	11/13/2020					√	Not required
Missouri	12/8/2020			√	-	-	Required by formal rule
Montana	11/30/2020			✓	-	-	Required by statute
Nebraska [18]	11/30/2020	√	√		-	-	Required by formal rule
Nevada [19]	11/16/2020		✓		✓	-	Required by statute
New Hampshire [20]	11/12/2020	-	√		-	-	Not required
New Jersey	12/8/2020	-	-			✓	Required by statute
New Mexico	11/24/2020	✓	✓		-	-	Required by statute
New York	12/7/2020					✓	Required by statute
North Carolina [21]	11/24/2020	-	-	✓	-	-	Required by statute
North Dakota [22]	11/13/2020	✓	✓	✓	✓		Required by statute
Northern Mariana Islands	11/17/2020				-	✓	Required by statute
Ohio [23]	11/24/2020	✓	✓		✓	-	Required by statute
Oklahoma [24]	11/10/2020	-	✓			-	Other
Oregon [25]	12/3/2020	✓	✓		✓	-	Required by statute
Pennsylvania [26]	11/23/2020	✓			✓	-	Required by statute
Puerto Rico [27]	11/4/2020	✓				-	Not required
Rhode Island [28]	11/20/2020	-	-	✓	-	-	Required by statute
South Carolina [29]	11/13/2020	✓					Other
South Dakota	11/10/2020	-	-	✓	-	-	Not required
Tennessee [30]	11/23/2020					√	Other
Texas [31]	12/7/2020		✓	-	-	-	Required by statute
U.S. Virgin Islands	11/13/2020		✓			-	Not required
Utah	11/17/2020	-	✓	✓	-	-	Required by statute
Vermont	11/10/2020	_	_	✓	-	-	Required by statute



		Reasons v	Reasons why a jurisdiction in the state may conduct a post- election recount of ballots					
State	General election certification deadline	Results are within a certain margin	By candidate or party request	Results are within a certain margin and a candidate or party has requested a recount	Request by other person or group	By court order only	Post-election tabulation audit policy	
Virginia [32]	11/16/2020			✓	-	-	Required by statute	
Washington [33]	12/3/2020	✓	✓	✓	✓	-	Required by statute	
West Virginia	12/3/2020		✓		-	-	Required by statute	
Wisconsin [34]	12/1/2020			✓		-	Required by statute	
Wyoming [35]	11/11/2020	✓	✓		-	-	Other	

Policy Survey Table 8 Calculation Notes:

General election certification deadline uses question Q33.

Recount reason, Results are within a certain margin uses question Q34_1.

Recount reason, By candidate or party request uses question Q34_2.

Recount reason, Results are within a certain margin and a candidate or party has requested a recount uses question Q34_3.

Recount reason, Request by other person or group uses question Q34_4.

Recount reason, By court order only uses question Q34_5.

Post-election tabulation audit policy uses question Q35.

Policy Survey Table 8 Data Notes:

General Notes:

- States were able to specify a calendar date for item Q33, select multiple responses to item Q34, and only a single response to item Q35. Selecting Q34_5 excluded all other responses to Q34.
- [1] Alaska reported that the certification deadline is the target date for the Alaska Division of Elections to certify the election. According to Alaska statute, a defeated candidate or 10 qualified voters who believe there has been a mistake in counting votes in an election may file an application for a recount of votes for any precinct or house district and for any office, proposition, or question. This application must be filed within five days after the completion of state review. However, the application may only be filed within three days after the completion of the state review after the general election for a recount of votes cast for the offices of governor and lieutenant governor. A recount is required if a contest is tied.
- [2] Arkansas reported that the County Election Commission may also come to a decision to recount an election.
- [3] California reported that anybody who is allowed by state law can request a recount.
- [4] The Delaware Boards of Canvass convene at 10:00 a.m. on the Thursday immediately following the federal general election.
- [5] The District of Colombia included the November 24 date in a public calendar as a tentative date for certifying results rather than a set deadline.

- [6] Florida specified that the state Elections Canvassing Commission meets at 9:00 a.m. on the ninth day after a primary election and at 9:00 a.m. on the 14th day after a general election to certify the election. For the November 3, 2020, federal general election, the deadline for jurisdictions to certify their results to the state fell on November 15, 2020.
- [7] Georgia reported that "In Georgia precincts where paper or scanning ballots have been used, the superintendent may, either of their own motion or upon petition of any candidate or political party, order a recount of ballots for a particular precinct for one or more offices in which it appears an error has been made. In precincts where voting machines were used, if there appears to be a discrepancy or error in the returns recorded for any voting machine, the superintendent may, either of their own motion or upon sworn petition of three electors of any precinct, order a recanvass of the votes shown on that particular machine or machines. This recanvass may be conducted at any time prior to the certification of the consolidated returns by the superintendent."
- [8] Guam reported that the certification deadline was a tentative date. The Guam Election Commission (GEC) cannot certify a general election until all administrative complaints received within 15 days after the election have been addressed.
- [9] Hawaii explained that there is no set deadline for certifying election results. If there are no election contests filed with the Supreme Court within 20 days of the election, the results will be certified.
- [10] Idaho reported that the county board of canvassers must certify results within 10 days of the general election, prior to the state board of canvassers meeting within 15 days of the general election. Idaho reported that a person supporting or opposing a state, jurisdiction, or city measure may request an election recount.
- [11] The Indiana Election Division (IED) tabulates final results for all federal, statewide, state legislative, and judicial offices and completes that tabulation no later than the last Tuesday of November (i.e., November 24, 2020). The Secretary of State certifies results immediately after receiving IED's tabulation. For presidential electors, the Secretary of State's part of the 2020 Indiana Election Commission would be signed by that date. Since the governor is required to issue commissions to each presidential elector by noon on the first Tuesday of December (i.e., December 1, 2020), and in order to issue those commissions the governor must certify his part of the 2020 Indiana Election Commission certificate of ascertainment, the certification of the presidential election results and Indiana electors also occurs on the first Tuesday of December. Indiana reported that a candidate's political party chair (state chair for federal and statewide candidates or county chair for a state legislative candidate from any jurisdiction where the legislative district is located) may file a recount if the candidate does not file the recount by the candidate recount filing deadline.
- [12] Kansas county board of canvassers can request a recount within their jurisdictions of any race if there are manifest errors.
- [13] Louisiana reported that election results are final after compilation and promulgation by the Secretary of State. Louisiana voters that voted in the proposition election may request a recount if the number of absentee and early ballots would make a difference in the outcome of the proposition election. Louisiana does not statutorily require audits, but they are conducted in every parish.
- [14] Maine reported that the Secretary of State must submit the official tabulation to the governor by the 20th day after the election.
- [15] Massachusetts local election officials must certify their election results and transmit to the Secretary of the Commonwealth within 15 days after the election. Thereafter, the Secretary of the Commonwealth tabulates the totals and presents them to the governor and the council for certification. Any registered Massachusetts voter can petition for a recount of ballot questions.
- [16] Michigan specified that recounts are conducted automatically if the statewide vote margin is less than 2,000 votes. Candidates can request a recount regardless of the margin. Groups may request a recount of ballot proposals. The voted ballots in at least one statewide contest must be reviewed as part of an audit



(MCL 168.31a[2]). Separate audit procedures are used to complete both a traditional tabulation audit and a risk-limiting audit. Precincts are randomly selected for audit and all ballots for one statewide race were hand counted and compared to the tabulator totals to complete a traditional tabulation audit. Additionally, ballots for a statewide race are randomly selected from ballot containers statewide using a risk-limiting audit formula, and ballots were reviewed and compared to statewide totals.

- [17] Minnesota did not specify the other person or group who may request a recount of votes.
- [18] Nebraska specified that if there is a state-level recount, it would be conducted on December 2, 2020, at 9:00 a.m.
- [19] In Nevada, any person or group was able to request a recount of a ballot question by November 18, 2020.
- [20] New Hampshire specified that its certification dates vary depending on the office. For presidential electors, United States senators, representatives in Congress, state senators, and state representatives, the deadline was December 2, 2020. For governor, executive council, and county officers, the deadline was January 6, 2021.
- [21] North Carolina specified that their reported date is barring recounts and/or protests in individual races.
- [22] North Dakota specified that a defeated candidate or 10 qualified electors may contest the nomination or election of any person or the approval or rejection of any question or proposition submitted to a vote of the electorate, pursuant to chapters 16.1-04, 16.1-05, 16.1-06, 16.1-07, 16.1-08.1, 16.1-09, 16.1-10, and 16.1-11.
- [23] Ohio specified that issue groups may request an election recount.
- [24] The Oklahoma County Election Boards certify final election results in their jurisdictions at 5:00 p.m. on the Friday following the general election. In 2020, that was 5:00 p.m. on November 6. The State Election Board certifies final statewide results at 5:00 p.m. on the Tuesday following the general election. In 2020, that was 5:00 p.m. on November 10. The secretary of the state election board shall have the authority to direct the secretary of a county election board to conduct a post-election audit of election results, for the purpose of maintaining the security of the election system by ensuring that voting devices and software used in a particular election correctly tabulated votes.
- [25] Oregon reported that any voter can request a recount on a measure. The county clerk may also request a recount of a candidate contest or measure.
- [26] Pennsylvania reported that the November 23, 2020, certification deadline was imposed on jurisdiction officials and not on the Secretary of the Commonwealth. Pennsylvania reported that a group of voters may request a recount of specific precincts.
- [27] The Puerto Rico Electoral Code does not establish a certain date for certification. However, it does establish partial result certification for the next day. If an election does not require a recount, the winner can be certified by the Puerto Rico State Election Commission.
- [28] Rhode Island does not have a specified certification deadline but certified all elections, with the exception of three local races that were awaiting write-in ballots to be tallied on November 20, 2020.
- [29] South Carolina reported that post-election hand count audits are required by State Election Commission mandate.
- [30] Tennessee's reported deadline applies to the certification of election results by county election commissions. There is no specified deadline for the state to certify results.
- [31] The Texas governor's canvass must be performed between 18 and 33 days after the election.
- [32] The Virginia State Board of Elections meets on the third Monday in November as required by state law.
- [33] In Washington, in addition to the mandatory recounts, if a contest is within a specified margin, a group of five or more voters may request a recount for an issue or question.

- [34] Wisconsin law permits a recount within specified margins and by a qualified party who makes a request, or when ordered by a court of law.
- [35] The Wyoming State Canvassing Board meeting was set at 10:00 a.m. on November 10, 2020. Wyoming reported that the post-election tabulation uses the same sample ballots used for the logic and accuracy testing before the election. The county clerk conducts a random audit of ballots by processing the pre-audited group of test ballots on 5% of the automated tabulating equipment for that jurisdiction, but on not less than one machine, within 30 days of any election in which the tabulating equipment was used.



Chapter 3. Voter Registration: The NVRA and Beyond

Key Findings

The Election Administration and Voting Survey (EAVS) collected data on voter registration between the 2018 and the 2020 general elections in Section A of the survey. Election officials were asked a variety of questions relating to registration and list maintenance, including the number of persons registered and eligible to vote in the 2020 general election, the number of registration forms processed, the number of confirmation notices sent pursuant to the National Voter Registration Act (NVRA) and for other purposes, and the number of records removed from the voter registration rolls. Notable findings from Section A of the 2020 EAVS include:

- The number of registrations received between the 2018 and the 2020 general elections reached 103,701,513, a 33.8% increase in registrations received compared to the period leading to the 2016 general election.
- The states' departments of motor vehicles (DMV) were once again the most commonly used registration source and accounted for 39.3% of the total registrations received between the 2018 and the 2020 general elections.
- Online registration continued to be the second-most used registration method, accounting for 28.2% of the total registrations received, and it was the registration method with the largest growth in the two-year period leading to the 2020 general election.
- The total number of reported active registrants reached 209,441,338 nationwide. The total number of active registrations for the 2020 general election increased 8.3% compared to the 2016 general election.
- States reported removing 18,781,054 voter records from voter registration rolls between the 2018 and the 2020 general elections. More than half of these removals occurred because a registrant failed to return a confirmation notice and did not vote in the following two general elections, or because the registrant moved out of the voting jurisdiction.

Introduction

Voter registration is required in 49 states, ¹ all of the U.S. territories, and the District of Columbia, making registration the first step toward election participation for most voters. ² Registration serves multiple purposes: It allows election officials to confirm if a person is eligible to vote; permits officials to efficiently allocate resources such as ballots, poll workers, and voting equipment, depending on

¹ Throughout this report, unless otherwise specified, the term "state" can be understood to apply to the 50 U.S. states, the District of Columbia, and five U.S. territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) that submit Election Administration Policy Survey and EAVS data.

² North Dakota is the only state that does not require voter registration.

the number of registrants per precinct and jurisdiction;³ and allows the tracking of voter participation.

Congress passed the NVRA in 1993 to "establish procedures that will increase the number of eligible citizens who register to vote in elections for federal office." This act, commonly known as the "Motor Voter Law," requires that states offer the opportunity to register to vote at their motor vehicle licensing offices (known as the DMV in many states). The law also requires states to offer voter registration at offices that provide public assistance or state-funded programs that primarily engage in providing services to persons with disabilities, and at armed services recruitment offices. The NVRA also provides guidelines on registration list maintenance and sets limits on how voters can be removed from the rolls.⁵

The Help America Vote Act (HAVA) of 2002 charged the U.S. Election Assistance Commission (EAC) with collecting data on voter registration and list maintenance procedures. The EAC meets its statutory requirement to report to Congress on the impact of the NVRA via Section A of the EAVS. This chapter of the EAVS report not only fulfills this requirement, but also provides insight about the changes in the registration behaviors of Americans in federal general elections and about the changes in the state policies affecting the registration process.

Federal Laws Regulating Voter Registration

The National Voter Registration Act of 1993

The NVRA is the primary federal law governing voter registration in the United States. In this law, Congress provides a clear statement regarding the importance of voter registration:

- (1) the right of citizens of the United States to vote is a fundamental right;
- (2) it is the duty of the Federal, State, and local governments to promote the exercise of that right; and

³ What constitutes a jurisdiction for EAVS reporting is defined by how each state chose to provide data. For the 2020 EAVS, most states reported data on the county level (or county equivalent, such as parishes for Louisiana). Illinois, Maryland, Missouri, and Virginia reported data for independent cities in addition to counties. The territories, the District of Columbia, and Alaska each reported as a single jurisdiction. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and Wisconsin reported data on the township level. Maine also reported its UOCAVA data in Section B as a separate jurisdiction, because this information was only collected at the state level. Michigan reported data for the county level, but most election administration activities take place in the 1,520 local election jurisdictions in the state.

4 52 U.S.C. § 20501.

⁵ This report generally uses the term "voter registration rolls" to refer to the computerized databases of registered voters that are maintained by states and localities. Other common terms for these databases include "voter registration lists" and "voter registration records."

⁶ Before 2016, the EAC administered a separate survey called the NVRA Survey, which collected similar information. This survey was consolidated with the EAVS for the 2016 general election. Before the creation of the EAC, the NVRA Survey was administered by the Federal Election Commission.



(3) discriminatory and unfair registration laws and procedures can have a direct and damaging effect on voter participation in elections for Federal office and disproportionately harm voter participation by various groups, including racial minorities.⁷

The primary purposes of the NVRA are:

- (1) to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office;
- (2) to make it possible for Federal, State, and local governments to implement this Act [NVRA] in a manner that enhances the participation of eligible citizens as voters in elections for Federal office;
- (3) to protect the integrity of the electoral process; and
- (4) to ensure that accurate and current voter registration rolls are maintained.8

The NVRA's first purpose is to expand opportunities for voters to register by creating more uniform processes for voter registration and designating more places and methods to register to vote. The NVRA requires that states allow multiple methods and places to register to vote, including (1) motor vehicle departments when a person obtains, renews, or updates the address on their driver's license; (2) through the mail, using a standard registration form; (3) at all state offices providing public assistance (e.g., the Supplemental Nutrition Assistance Program [SNAP]); (4) at all offices that provide state-funded programs focused on services to people with disabilities; (5) at armed forces recruitment offices; and (6) at other state designated offices such as public libraries and local government offices. All these offices are mandated under the NVRA to provide their users with information on voter registration and assistance in the registration process when required.

The NVRA was fully implemented after the 1994 general election. Several states are not covered by the NVRA. North Dakota is exempt because it does not have voter registration. The U.S. territories are also not subject to the NVRA, and the states of Idaho, Minnesota, New Hampshire, Wisconsin, and Wyoming are exempt because they had same-day registration (SDR) in 1994 and have continued to make this option available uninterrupted since that time.

The NVRA also sets some fundamental guidelines that states must follow. For example, states may set their own deadline for citizens to register to vote in a general election for federal offices, but that deadline can never be more than 30 days before the date of the election. The NVRA also sets the

8 52 U.S.C. § 20507

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⁷ 52 U.S.C. § 20501

⁹ States can make available the standard National Mail Voter Registration Form provided by the EAC (https://www.eac.gov/voters/national-mail-voter-registration-form) or their own version of a mail registration form following the NVRA's requirements.

process that states need to follow to maintain their voter registration rolls and to conduct removal processes.

Help America Vote Act of 2002 (HAVA)

HAVA was enacted with the goal of updating the voting administration system in the United States and creating a commission to assist in the administration of federal elections. In addition to legislating the update of the administration process for federal elections in the United States, HAVA mandates that states create and maintain a "computerized statewide voter registration list" that serves as "the official voter registration list for the conduct of all elections for Federal office in the State." 10 The computerized registration list must be centralized and "defined, maintained and administered at the State level."11 However, although the registration list is administered at the state level, local election officials must be able to access the registration list and are required to enter any updated voter registration information in the computerized system. HAVA also specifies that the maintenance of the implemented computerized registration list will be carried out according to the NVRA's mandates and that duplicate names or registrations will be removed from the state's registration list.

State Voter Registration Policies

States have wide latitude on how to conduct their voter registration activities, as long as the state policies do not interfere with federal laws such as the NVRA and HAVA. This flexibility allows states to adapt their laws as they see appropriate to better serve the interests of their citizens. During the period between the 2018 and the 2020 general elections, a number of states changed their laws regarding voter registration, such as implementing online voter registration, allowing voters to register at the polls on Election Day, or implementing automatic registration. 12

These types of laws usually take years between when they are first proposed and when they are fully implemented. However, states can make short-term changes to their registration policies with the aim of addressing unforeseen circumstances. For example, the state of Massachusetts changed its registration deadline to allow its citizens an additional 10 days to register given the extraordinary circumstances caused by the COVID-19 pandemic.¹³ Additionally, some states briefly extended their registration deadlines due to issues with their online registration sites that made it impossible to register to vote in the hours before the end of the registration period-these issues were in some cases caused by an unprecedented volume of attempted visits.14

^{10 52} U.S.C. § 21083

¹¹ Ibid.

¹² These registration policies will be covered in more detail in the following section of this chapter. More information on state's voting and registration policies can be found in Chapter 2 of this report.

¹³ Elections Division of the Secretary of the Commonwealth of Massachusetts. (2020, September 23). Important Elections Updates. https://www.sec.state.ma.us/ele/covid-19/covid-19.htm.

¹⁴ For example, Florida extended the deadline from October 5 to October 6, 2020, for a web malfunction before the deadline (https://dos.myflorida.com/communications/press-releases/2020/public-notice-secretary-of-state-laurel-m-leeprovides-update-about-voter-registration-in-florida/), and a federal court extended Virginia's registration deadline from October 13 to October 15, 2020, because of an accidentally severed fiber optic cable that disabled the Department of Elections' website hours before the registration deadline (https://www.elections.virginia.gov/news-releases/virginia-voterregistration-deadline-extended-by-federal-court.html).



The Registration Process

The typical voter registration process is depicted in Figure 1. Citizens in the United States can register to vote using different methods, some of them mandated by federal law and others offered at the discretion of the state. Once a registration form is completed and submitted, the state or local election office must confirm the eligibility of the applicant. Eligible applicants are added to the voter registration rolls and are notified of their registration status, whereas applicants who submitted ineligible or incomplete applications are contacted for further information to complete their applications.

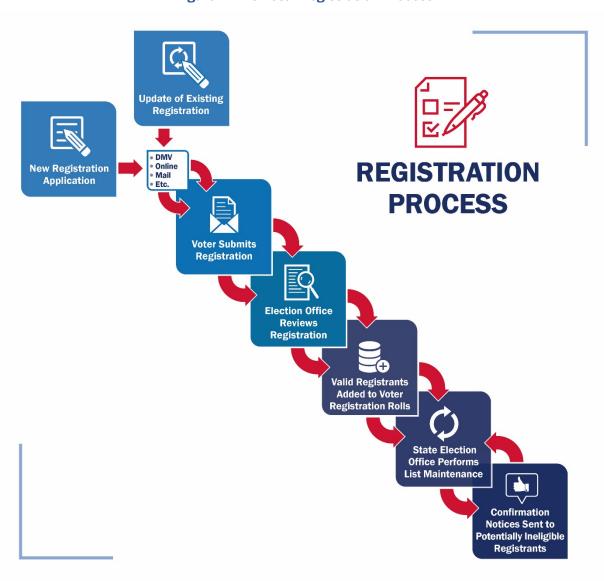


Figure 1. The Voter Registration Process

Note: Figure 1 does not represent automatic registration, in which the voter does not submit a registration application.

Voter registration also serves to assign each voter to a precinct—a bounded geographic area to which voters are assigned according to their residential address as listed in their voter registration record—so that voters receive the correct ballot. The voter registration system tracks each voter's electoral participation so that an individual can be given credit for voting in an election, which helps ensure each person casts only one ballot per election.

Every person with a valid registration is considered an active, registered voter. However, at times, a question arises as to whether a person still resides at the address at which they are registered. The election official may receive notification via the U.S. Postal Service national change of address from the voter of a new resident address. In these situations, the state or local election office may send the registrant a confirmation of address notice. In many states, if the person fails to return the form or the form is returned to the election office as undeliverable, the person is placed on a list of inactive voters. Inactive voters are still part of the voter registration rolls and are included in the registration totals in most jurisdictions. ¹⁵ However, before they can vote, inactive voters are typically required to show approved documentation of their eligibility (most commonly, proof of living at an address within the voting jurisdiction). In some cases, inactive voters may be required to cast a provisional ballot when their eligibility cannot be established at the polls.

The NVRA also requires states to maintain their voter registration rolls by removing registrants who are no longer eligible to vote. For example, the NVRA provides that if a registrant fails to return a confirmation notice and does not vote in two subsequent federal general elections, the registrant can be removed from the voter registration roll of the jurisdiction that sent the confirmation notice. In addition, a registrant can be removed for other reasons such as death, upon the registrant's request, or due to a disqualifying criminal conviction or mental incompetence, as provided by a state's laws. This process is referred to as "list maintenance." When an individual is removed from the voter registration roll because of a change in residence of the voter under the NVRA process, this is called "address list maintenance." Election offices may share data with other state agencies or entities that maintain death records or felony and prison records for the purposes of identifying potentially ineligible voters. ¹⁶

How Americans Registered to Vote for the 2020 General Election

Between the close of registration for the 2018 general election and the close of registration for the 2020 general election, states and territories reported receiving a record 103,701,513 registration applications—26,184,917 more applications than were received in the same period leading up to the 2016 general election. The most used method of registration was the motor vehicle departments, which accounted for 39.3% of the total registrations received (39,705,812 registration

¹⁵ According to the 2020 Policy Survey, six states (Guam, Idaho, North Dakota, New Hampshire, the U.S. Virgin Islands, and Wyoming) reported that they do not distinguish between active and inactive voters in their registration records. In the survey comments in the EAVS, Oregon reported, "Do not track number of inactive voters," and Minnesota stated, "Minnesota is NVRA exempt. Minnesota does not classify voters as inactive per NVRA."

¹⁶ More information about state policies on voter registration database linkages is found in Chapter 2 of this report.

¹⁷ The total number of registration applications received during the two-year period leading to a federal general election was reported in item A3a in the 2020 EAVS and item A5a in the 2016 EAVS.



applications). ¹⁸ Registration by mail accounted for 12.9%, in-person registration accounted for 8.3%, and online registration accounted for 28.2% of the total registration applications. ¹⁹ The rest of the registration applications that were received during this period were from sources such as registration drives (2.2%), public assistance offices (1.6%), and armed forces recruiting offices (0.1%) among other sources. ²⁰

The primary sources of registration have remained fairly consistent throughout multiple elections. For instance, motor vehicle departments have been the most common source of voter registration for over a decade, accounting for more than 30% of the received registrations since at least 2006. Figure 2 shows that other sources for filing registration applications, such as in person at election offices, by mail/fax/email, and other means (e.g., public assistance offices, registration drives), were used at very similar rates as for the 2018 general election.

Online registration has been the second-most popular registration mode since 2016 and accounted for a proportionately larger share of registration applications for the 2020 general election. In 2020, online applications increased 12.1 percentage points compared to the registration period leading to

¹⁸ The percentage of registrations received by the motor vehicle department was calculated by dividing the number of registration applications received at motor vehicle departments (item A4d of the EAVS) by the total number of registration applications received (item A3a of the EAVS). American Samoa, Idaho, New Hampshire, North Dakota, the Northern Mariana Islands, Puerto Rico, Rhode Island, the U.S. Virgin Islands, Wisconsin, and Wyoming were not included in the calculation because they did not report data on item A4d. Casewise deletion at the state level was used in this calculation. ¹⁹ The percentage of registrations received by mail, in person, and online used items A4a, A4b, and A4c of the EAVS respectively, and were divided by the total number of registration applications received (item A3a of the EAVS). Guam, North Dakota, Puerto Rico, Rhode Island, and the U.S. Virgin Islands were not included in the calculation of the percentage of registrations received by mail because they did not report data on item A4a. North Dakota and Rhode Island were not included in the calculation of the percentage of registrations received in person because they did not report data on item A4b. American Samoa, Arkansas, Maine, Mississippi, Montana, New Hampshire, New York, North Dakota, the Northern Mariana Islands, Puerto Rico, Rhode Island, South Dakota, the U.S. Virgin Islands, and Wyoming were not included in the calculation of the percentage of registrations received online because they did not report data on item A4c. Casewise deletion at the state level was used in these calculations.

²⁰ The percentage of registrations received from registration drives, public assistance offices, and armed forces recruiting offices used items A4i, A4e, and A4g of the EAVS respectively, and were divided by the total number of registration applications received (item A3a of the EAVS). American Samoa, Georgia, Guam, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, North Dakota, the Northern Mariana Islands, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, Tennessee, the U.S. Virgin Islands, West Virginia, and Wyoming were not included in the calculation of the percentage of registrations received from registration drives because they did not report data on item A4i. American Samoa, Guam, Idaho, Maine, Minnesota, New Hampshire, North Dakota, the Northern Mariana Islands, Puerto Rico, Rhode Island, the U.S. Virgin Islands, Vermont, West Virginia, Wisconsin, and Wyoming were not included in the calculation of the percentage of registrations received at public assistance offices because they did not report data on item A4e. American Samoa, Guam, Hawaii, Idaho, Maine, Massachusetts, Minnesota, Mississippi, New Hampshire, New York, North Dakota, the Northern Mariana Islands, Oregon, Puerto Rico, Rhode Island, the U.S. Virgin Islands, Vermont, West Virginia, Wisconsin, and Wyoming were not included in the calculation of the percentage of registrations received at armed forces recruiting offices because they did not report data on item A4g. Casewise deletion at the state level was used in these calculations. The instructions for this question noted that registration applications should be classified according to the mode used to submit it. For example, if the voter submits a registration form online using the state's online voter registration portal, this is considered an online voter registration. If the voter accessed the online voter registration system at a state public assistance office or at the office of an agency that primarily serves individuals with disabilities, this would also be considered an online registration.

²¹ The EAC's National Voter Registration Act Studies, which contain information on voter registration activities prior to 2016 when this information began being included in the EAVS Comprehensive Report, can be found at https://www.eac.gov/voters/national-voter-registration-act-studies.

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2016 44.9% 2018 2020 39.3% 33.7% 28.2% 21.5% 17.6% 16.1% 15.5% 13.6%_{12.9%} 13.5% 12.9% 11.3% 9.0% 8.3% Motor Vehicle Dept. Mail/Fax/Email In Person Other Source of Registration Applications

Figure 2. Motor Vehicle Departments Are the Most Common Source of Registration Applications

Source: The percentage of registrations received at motor vehicle departments was calculated as A4d/A3a x 100 for the 2018 and the 2020 EAVS and A6d/A5a x 100 for the 2016 EAVS. The percentage of registrations received online was calculated as A4c/A3a x 100 for the 2018 and the 2020 EAVS and A6c/A5a x 100 for the 2016 EAVS. The percentage of registrations received by mail/fax/email was calculated as A4a/A3a x 100 for the 2018 and the 2020 EAVS and A6a/A5a x 100 for the 2016 EAVS. The percentage of registrations received in person was calculated as A4b/A3a x 100 for the 2018 and the 2020 EAVS and A6b/A5a x 100 for the 2016 EAVS. The percentage of registrations received by other means was calculated as (A4e+A4f+A4g+A4h+A4i+A4j+A4k+A4l)/A3a x 100 for the 2018 and the 2020 EAVS and (A6e+A6f+A6g+A6h+A6i+A6h+A6h+A6n+A6n)/A5a x 100 for the 2016 EAVS. Casewise deletion was used at the state level in these calculations.

the 2018 general election and was the registration source with the largest growth. Some of this growth in online registration applications could have been because of the effects of the COVID-19 pandemic, as many of the typical in-person modes of registration were restricted starting in March 2020. The percentages of registrations received at motor vehicle departments and in person at election offices saw small decreases from 2018 to 2020.



Another explanation for the growth in the use of online registration between 2018 and 2020 is that three states (Minnesota, New Jersey, and Oklahoma) began to offer online registration.²² This resulted in a total of 43 states that allowed voters to submit new registration applications online for the 2020 general election.²³ These registrations are typically reviewed electronically, and data from other state databases are used to verify a person's identity, address, and eligibility. Most of the states (81.4%) using online registration reported that applicants must have a driver's license issued by the state to register online.²⁴ Two more states (Mississippi and Texas) reported that they allow voters to update their registration records online, but voters may not submit new registration applications online.

States reported receiving 27,681,700 online registrations during the 2018–2020 registration period. Nineteen states reported receiving more than 30% of their registrations online in 2020 (see Table 2 of the Appendix). Among states that reported receiving online registrations in 2018 and 2020, only lowa and Connecticut reported a decrease in the percentage of their registrations received online (a 5.2- and 3.6-percentage-point decrease, respectively), and 26 states reported an increase of 10 percentage points or more. As in 2018, Massachusetts (67.4%) was the state with the highest percentage of online registrations. The first state to implement online registration, Arizona, also remained among the states with the highest levels of registrations received online (45.2%).

Same-Day Voter Registration

Same-day registration (SDR) allows voters to register to vote and cast their ballot on the same day. SDR can be offered on Election Day, in which case it may be referred to as Election Day registration, or it can be offered during in-person early voting.²⁸ SDR depends on local laws and, thus, is only allowed in some states and territories. Some states reported allowing SDR in narrow circumstances, such as only for particular elections (e.g., Alaska and Rhode Island reported only allowing SDR for voting for the U.S. President and Vice President) or particular cases (e.g., North Carolina reported

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²² Information was collected from responses to items Q7 in the 2020 Policy Survey and Q6 in the 2018 Policy Survey. The states of Minnesota, New Jersey, and Oklahoma reported using online registration for the 2020 general election, but not in 2018. Mississippi and Texas reported offering an online option only to update registrations and did not report any online registration in item A4c of the EAVS.

²³ More information about state policies on online registration is found in Chapter 2 of this report.

²⁴ The percentage of states requiring a driver's license or other ID issued by the state to register to vote used item Q7a in the 2020 Policy Survey and was calculated by dividing the number of states that require a state-issued ID by the total number of states that reported allowing individuals to register to vote online in Q7 of the 2020 Policy Survey.
²⁵ The total number of online registration applications received during the two-year period leading to a federal general election was reported in item A4c in the 2020 EAVS.

²⁶ The percentage of registrations received online in 2020 used item A4c of the 2020 EAVS divided by the total number of registration applications received (item A3a of the 2020 EAVS). The calculation of online registrations received in 2018 used the same item number from the 2018 EAVS data set. The comparison subtracted the percentage of registrations received online in 2020 from the percentage of registrations received online in 2018 to obtain the percentage point difference. Texas was not included among the states that received online registrations in 2018 and 2020, because they reported zero as the response for A4c in all of the counties.

²⁷ Illinois reported 96.4% of online registrations but was omitted here, because it reported more than twice as many registrations in the categories' breakdown than were reported in the item reporting total registrations received (A3a).
²⁸ Some states may have an overlap between their mail voting period and the close of their voter registration, during which it is possible for a person to register on the same day that they cast a mailed ballot; however, this is not considered SDR for purposes of the EAVS, and many states have noted in the past that it is not possible to track the number of mail voters who register to vote on the same day that they cast their mailed ballot.

allowing SDR to citizens who became eligible to vote due to naturalization or who had their voting rights restored after a conviction or felony and only if they became eligible between the close of books and Election Day).

In 2020, 29 states reported allowing some form of SDR. Twenty-one states reported allowing voters to register to vote on Election Day. Twelve states reported allowing SDR during an overlap between the start of early voting and the close of voter registration, 20 states reported allowing for SDR during in-person early voting, and four states reported allowing for SDR in very specific cases.²⁹ The states that indicated allowing SDR were mostly the same as in 2018, with the exception of South Carolina, which allowed SDR for the 2018 general election but not in 2020, and American Samoa, Massachusetts, Michigan, and Nevada, which did not allow for SDR in 2018 but did for the 2020 general election.30

The total number of SDRs recorded in 2020 was 1,634,346 and accounted for 3.5% of the total registrations received among states allowing for SDR.31 For the first time, the 2020 EAVS asked states to break down SDRs between those that were received before and on Election Day. Election Day SDRs added up to 934,238, and early voting SDRs summed to 665,108 registrations.³² There was a wide variability in how the two types of SDRs were distributed among states that reported both, with Election Day SDRs accounting for between 5.9% and 100% of the total SDRs that states reported.33

The use of SDR varied considerably, and similar to previous elections, the five NVRA-exempt states which gained NVRA exemption for allowing SDR continuously since 1994³⁴—were among the states where SDR accounted for the largest percentages of registration applications. In Wyoming, 55.6% of the registration applications were SDR, followed by Idaho with 40.7% and Wisconsin with 30.4%.35 The NVRA states where SDR accounted for the largest portions of their registration applications received were Vermont (24.4%) and Maine (24%). However, for most of the NVRA states, SDR accounted for less than 5% of registration applications.

²⁹ These results were obtained from item O9a of the 2020 Policy Survey. More information about state policies on SDR is found in Chapter 2 of this report.

³⁰ These results were obtained from item 09 of the 2020 Policy Survey and item 07 of the 2018 Policy Survey.

³¹ The total number of SDR applications received during the two-year period leading to a federal general election was reported in item A2a in the 2020 EAVS. The percentage of registrations received that were SDRs was calculated by dividing the number of SDRs received (item A2a of the EAVS) by the total number of registration applications received (item A3a of the EAVS). The total and percentage correspond to the 26 states that reported allowing SDR and reported data for it. Guam and Massachusetts, which allow for some form of SDR, reported "Data not available" for this field. American Samoa reported zero total SDRs. Casewise deletion at the state level was used in this calculation.

³² The total number of Election Day SDRs was reported in item A2b in the 2020 EAVS, and the total number of early voting SDRs was reported in item A2c in the 2020 EAVS. The sum of Election Day SDRs and early voting SDRs does not add up to the total SDRs reported because some states either did not break down SDR by type (Alaska) or their submissions in A2b and A2c did not sum to A2a (California, Illinois, and Utah).

³³ The percentage of SDRs that were Election Day SDRs was calculated by dividing the number of Election Day SDR applications received (item A2b of the EAVS) by the total number of SDR applications received (item A2a of the EAVS). 34 North Dakota is also NVRA exempt because it does not require voter registration, and the U.S. territories are also NVRA exempt.

³⁵ The percentage of registration applications that were SDRs was calculated by dividing the number of SDR applications received (item A2a of the EAVS) by the total number of registration applications received (item A3a of EAVS).



Automatic Voter Registration

Beginning in 2016, states started implementing laws allowing for automatic voter registration (AVR). These laws allow for non-registered persons to be added to the voter registration rolls during or after an interaction with a designated state agency, such as the motor vehicle department, unless the person specifically declines to be registered. The most common differences between the types of AVR policies were the point at which the individual must decline or "opt out" of being registered—either at the point of service or at a later time through a mailer sent to the individual—and which state agencies participate in the AVR program.

In 2016, Oregon was the first state to implement AVR at the state level. Since then, 23 states have also started using some form of AVR.³⁶ For the most part, states reported that individuals must opt out of AVR at the point of service. A very common example is that a person is provided the opportunity to register to vote while completing a transaction at their local motor vehicle department and is asked to provide a response of "yes" or "no" to be able to continue with the voter registration transaction. Only the states of Colorado and Oregon reported not asking individuals during their transactions and later requiring that they actively respond to a mailer if they do not want to be included in the voter registration rolls.³⁷ All states that reported allowing AVR did so at least through the state's motor vehicle department, with nine states reporting additional agencies (e.g., agencies for people with disabilities, public assistance offices) participating in the AVR program in their state.³⁸

The EAVS does not include any questions about the number of AVRs processed by states. However, the EAVS data show an increase in registrations submitted through motor vehicle departments (which data from the 2020 Policy Survey show is the most common state agency that processes AVRs) between 2016 and 2020. Although the increase of 14.3 million voter registrations processed through the motor vehicle department in this time span is likely the result of multiple factors, AVR may be one of them.³⁹ When comparing the change in motor vehicle department registrations recorded between 2016 and 2020 among states with and without AVR, states with AVR reported an increase of 80% in the number of registrations received at the motor vehicle department, whereas states without AVR reported a 10.1% increase.⁴⁰ These increases may be, in part, driven by the fact that there was a 33.8% increase in the total number of registrations received between 2016 and

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³⁶ The number of states with AVR was obtained through item Q6 in the Policy Survey. More information about states with AVR is found in Chapter 2 of this report.

³⁷ Information on the point at which the individual has the opportunity to opt out of AVR was obtained through item Q6b in the Policy Survey.

³⁸ Information on state agencies participating in the AVR program for each state was obtained through item Q6a in the Policy Survey.

³⁹ Total registrations received at motor vehicle departments was obtained through items A4d in the 2020 EAVS and A6d in the 2016 EAVS.

⁴⁰ The percentage change in total number of registrations received at the motor vehicle department between 2016 and 2020 was calculated by dividing the number of registration applications received at the motor vehicle department in 2020 (item A4d of the 2020 EAVS) by the number of registration applications received at the motor vehicle department in 2016 (item A6d of the 2016 EAVS) for states that did and did not allow for AVR as reported in item Q6 of the Policy Survey. Classification of states as having AVR and not having AVR used item Q6 of the 2020 Policy Survey. Casewise deletion at the state level was used in this calculation.

2020.⁴¹ However, the trend of AVR states having an increase in motor vehicle department registration holds when comparing the percentage of registration applications received through motor vehicle departments in states with and without AVR for the 2016 and 2020 elections. Figure 3 shows that among states without AVR, motor vehicle department registrations accounted for a similar portion of the total registrations in 2016 and 2020. There has been a notable increase among the states that have implemented AVR in recent years.

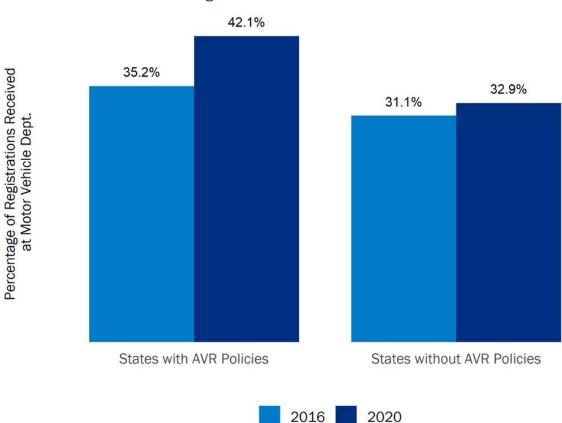


Figure 3. Motor Vehicle Department Registrations Accounted for a Larger Portion of Total Registrations Received in AVR States

Source: The percentage of registrations received at motor vehicle departments was calculated as A4d/A3a \times 100 for the 2020 EAVS and A6d/A5a \times 100 for the 2016 EAVS. Classification of states as having AVR and not having AVR used item Q6 of the 2020 Policy Survey. Casewise deletion at the state level was used in this calculation.

Alaska is the only state that reported AVRs as a separate category in its EAVS data, as this state processes most of its AVRs through the Permanent Fund Dividend program. Alaska reported in its

⁴¹ The percentage change in the total number of registrations received between 2016 and 2020 was calculated by dividing the number of registration applications received in 2020 (item A3a of the 2020 EAVS) by the number of registration applications received in 2016 (item A5a of the 2016 EAVS). North Dakota was not included in this calculation because it does not have voter registration. American Samoa and the Northern Mariana Islands were not included in this calculation because they did not complete the 2016 EAVS. Casewise deletion at the state level was used in this calculation.



survey comments that in 2016, the state approved a ballot initiative requiring AVR through the Permanent Fund Dividend. Since the implementation of the initiative, the total number of registration applications that the state reported receiving increased from 259,227 in 2016 to 1,079,008 in 2020.⁴² AVRs through the Permanent Fund Dividend program accounted for 68.1% of Alaska's total registrations in 2020 and 59.8% in 2018.⁴³

Other Modes of Registration

In addition to in-person, online, mail/fax/email, and motor vehicle department registrations, states reported data on registration applications received from other sources, which in 2020 accounted for 12.9% of the applications received at the national level.⁴⁴ Some of these modes of registration are NVRA mandated, such as registrations through armed forces recruitment offices, public assistance offices, and state-funded agencies serving persons with disabilities. These NVRA-mandated modes of registration accounted for 1.8% of the national registrations in 2020.⁴⁵ States also reported registrations completed through other modes that are not required by the NVRA and that are authorized at the discretion of the state, such as at registration drives (2.2%) and other agencies required by the state (3%).⁴⁶

Voter Registration Rates for the 2020 General Election

The NVRA requires each state to report its total number of registered and eligible, active, and inactive registrants for each federal general election. ⁴⁷ Most states reported the total "registered and eligible" voters as the sum of active and inactive registrants. However, data on registered and eligible voters as reported in the EAVS should be used with caution, as these totals can include registrants who were no longer eligible to vote in that state but who had not been removed from the voter registration rolls because the removal process from the inactive list laid out by the NVRA can take up to two election cycles to be completed. ⁴⁸ In addition, preliminary data from the 2020 U.S.

⁴² The number of total registrations received was obtained from item A3a in the 2020 EAVS and from item A5a in the 2016 EAVS.

⁴³ Alaska reported data on the number of registrations received through the Permanent Fund Dividend program in item A4j of the 2020 and 2018 EAVS. The percentage of the total registrations that were processed through the Permanent Fund Dividend program was calculated by dividing the number of the program registration applications (item A4j for Alaska in the 2020 and the 2018 EAVS) by Alaska's total registrations received (item A3a in the 2020 and the 2018 EAVS).

⁴⁴ The percentage of registrations received by other sources different than in person, online, mail/fax/email, and the motor vehicle department was calculated as (A4e+A4f+A4g+A4h+A4i+A4j+A4k+A4l)/A3a x 100 for the 2020 EAVS. Casewise deletion was used at the state level in these calculations.

⁴⁵ The percentage of registrations received from NVRA-mandated sources different than in person, mail/fax/email, and the motor vehicle department was calculated as (A4e+A4f+A4g)/A3a x 100 for the 2020 EAVS. Casewise deletion was used at the state level in these calculations.

⁴⁶ The percentage of registrations received from registration drives and from state agencies not mandated by the NVRA used items A4i and A4h of the 2020 EAVS, respectively, and were divided by the total number of registration applications received (item A3a of the EAVS). Casewise deletion at the state level was used in these calculations.

⁴⁷ Twelve states (American Samoa, Guam, Idaho, Minnesota, New Hampshire, the Northern Mariana Islands, Ohio, Oregon, Puerto Rico, the U.S. Virgin Islands, Wisconsin, and Wyoming) reported only active registrants. North Dakota does not have voter registration and, thus, did not have any data to report.

⁴⁸ California, Florida, Kansas, and New York reported more "registered and eligible" voters in their state than the sum of the active and inactive registrants, resulting in 13,704; 13,384; 11,199; and 776 uncategorized registrants, respectively. New Hampshire reported zero registrations in 18 of its 320 jurisdictions. Two jurisdictions in Wisconsin reported zero registrations because they changed their status from town to village and/or merged with other jurisdictions where they reported the corresponding registration data. Kalawao County in Hawaii reported zero registrations because Maui County administers Kalawao County's elections.

Census show that the U.S. population increased by more than 20 million people since the 2010 Census, resulting in a change of apportionment for congressional seats in 13 states;⁴⁹ this population increase and mobility may be a contributing factor to the increase of records that states reported having on their voter registration rolls for the 2020 general election.

For the 2020 general election, states reported that 228,004,364 citizens were registered to vote, either as active or inactive voters.⁵⁰ This represents a 6.5% increase compared to the number of people who were registered to vote for the 2016 general election.⁵¹ Nationally, 91.9% of all registrants were designated as active, and 9.1% of registrants were designated as inactive.⁵² In 2020, the total number of active registrants exceeded the 200 million mark for the first time in EAVS history and accounted for 88.2% of the 2019 citizen voting age population (CVAP).⁵³ The number of active registrants in 2020 increased 8.3% compared to what states reported for the 2016 EAVS. In 2020, the majority of states reported active registration rates of 80% or more of their 2019 CVAP (see Table 1 in Appendix A of this chapter).⁵⁴ Compared to the active registration rates in 2016, 82% of the states reported a higher active registration rate in 2020.⁵⁵

⁴⁹ U.S. Census Bureau. (2021, April 26). *First 2020 Census Data Release Shows U.S. Resident Population of 331,449,281*. https://www.census.gov/library/stories/2021/04/2020-census-data-release.html.

⁵⁰ The total number of registered voters was obtained from item A1a in the 2020 EAVS.

⁵¹ The percentage change in the total number of registered voters between 2016 and 2020 was calculated by dividing the total number of registered voters in 2020 (item A1a of the 2020 EAVS) by the total number of registered voters in 2016 (item A1a of the 2016 EAVS).

⁵² The percentage of active and inactive registrants used items A1b and A1c, respectively, of the 2020 EAVS and divided these items by the total number of registered voters (item A1a of the EAVS). North Dakota was not included in these calculations because it does not have voter registration. Guam, Idaho, Minnesota, New Hampshire, the Northern Mariana Islands, Ohio, Oregon, Puerto Rico, the U.S. Virgin Islands, Wisconsin, and Wyoming were not included in the percentage of inactive voters because they did not provide data about inactive voters in item A1c of the 2020 EAVS. Casewise deletion at the state level was used in these calculations. The percentages of active and inactive registrants do not add to 100 because of the use of state casewise deletion to calculate percentages at the national level, as discussed in Chapter 5. 53 The total number of active registrants was obtained from item A1b in the 2020 EAVS. The active CVAP voter registration rate was calculated by dividing the number of active registrants (item A1b in the 2020 EAVS) by the estimated CVAP provided by the U.S. Census Bureau. North Dakota was not included in the calculation because it does not have voter registration. American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands were not included in the calculation because there is no CVAP information from the Census Bureau for these territories. Casewise deletion at the state level was used in these calculations. This report uses the 1-year American Community Survey (ACS) state CVAP estimate for 2019 instead of the 5-year estimate to ensure that the CVAP is as current as possible. The CVAP estimates for 2020 were not available by the time this report was finalized. In calculating the percentage change in the total number of active registrants from the 2016 EAVS to the 2020 EAVS, casewise deletion has been used at the state level. 54 The percentage of active CVAP voter registration was calculated by dividing the total active registrants (item A1b in the 2020 EAVS) by the total CVAP.

⁵⁵ The percentage of active CVAP voter registration change was calculated as the 2020 percentage of active CVAP voter registration ([A1b/CVAP] x 100) for the 2020 EAVS divided by the 2016 percentage of active CVAP voter registration ([A3a/CVAP] x 100) for the 2016 EAVS. One unit was subtracted from the result of the division, and the result was multiplied by 100 to obtain the percentage change. North Dakota was not included because it does not have voter registration. Pennsylvania was not included because it did not report total active registrants in 2016, as the state commented that it could not "differentiate between active and inactive from our point in time snapshot of the voter registration numbers." The U.S. territories of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands were not included because the U.S. Census Bureau does not provide an estimate for their CVAP.



Calculating Registration Rates

Estimating the percentage of the population that is registered to vote for an election can be approached in different ways using a variety of metrics. There are multiple potential numerators and denominators that can be used.

Registration Rate Numerator:

- Total Registrants. The number of people that states reported as being registered and eligible to
 vote (A1a in the EAVS). This total includes active and inactive registrants. This metric
 overrepresents of the actual number of registrants within a state, since some of the people
 included (particularly inactive registrants) may not be eligible to vote in that jurisdiction.
- Active Registrants. The number of people that states reported as being eligible to cast a ballot
 without the need to provide additional eligibility evidence at the polls (A1b in the EAVS). This total
 excludes inactive registrants.

Registration Rate Denominator:

- Voting Age Population (VAP). The estimate of the number of persons ages 18 or older provided by the Census Bureau.
- Citizen Voting Age Population (CVAP). The estimate of the number of American citizens ages 18 or older provided by the Census Bureau. This estimate is more accurate than the VAP in that it restricts the inclusion criteria to being a U.S. citizen, which is mandatory to vote.
- Voting Eligible Population (VEP). The estimate created by subtracting from the CVAP the citizens that are ineligible to vote (e.g., persons with disqualifying felony convictions) and persons who are in the military or citizens living overseas. This estimate is provided by the U.S. Elections Project and is available at the state level but not at the jurisdiction level like the VAP and the CVAP estimates.

The combination of active registrants and the CVAP to calculate the registration rate in the EAVS provides a higher level of accuracy than using the total registrations and/or the VAP to calculate the rate at the jurisdiction level when needed, as opposed to the use of the VEP. This calculation, however, has some limitations, such as the potential overrepresentation of total registrants in the active registrant list due to the challenges for states to keep voter registration rolls fully up to date. When analyzing EAVS data, the EAC recommends using the following method to calculate voter registration rates:

$$\frac{A1b \ of \ EAVS}{CVAP} \times 100 = Active \ CVAP \ Voter \ Registration \ Rate$$

See Chapter 2 of this report for a discussion of state policies on voter registration list maintenance.

There was a 3.6-percentage-point increase in the active registration rates at the national level (from 84.6% in 2016 to 88.2% in 2020). ⁵⁶ At the state level, Georgia and Texas reported the largest

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⁵⁶ The percentage of active CVAP voter registration for 2020 was calculated as the total active voters (A1b in the 2020 EAVS) divided by the 2019 CVAP. The percentage of active CVAP voter registration for 2016 was calculated as the total active voters (A3a in the 2016 EAVS) divided by the 2015 CVAP. The percentage point change between the 2016 and 2020 active CVAP voter registration rates was calculated by subtracting the 2015 active CVAP voter registration percentage from the 2019 active CVAP voter registration percentage.

increases in active registration rates between 2016 and 2020 (24.5% and 18.8%, respectively), and New York and Puerto Rico reported the largest drops in active registration rates (24.3% and 14.4%, respectively).⁵⁷ Figure 4 shows the change in the active CVAP voter registration rate among states from the 2016 general election to the 2020 general election.

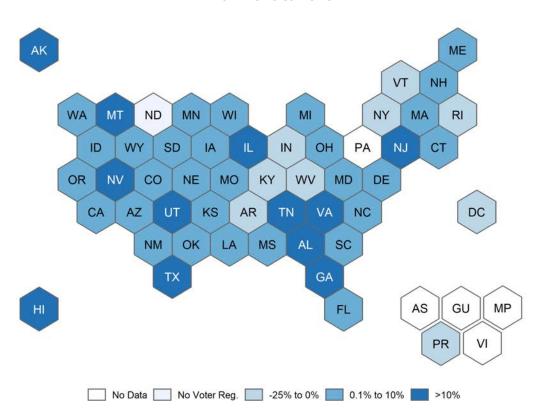


Figure 4. Most States Had an Increase in the Active CVAP Voter Registration Rate From 2016 to 2020

Source: The percentage of active CVAP voter registration change was calculated as the 2020 percentage of active CVAP voter registration ($[A1b/CVAP] \times 100$) for the 2020 EAVS divided by the 2016 percentage of active CVAP voter registration ($[A3a/CVAP] \times 100$) for the 2016 EAVS. One unit was subtracted from the result of the division, and the result was multiplied by 100 to obtain the percentage change. North Dakota does not have a change rate because it does not have voter registration. Pennsylvania does not have a change rate, because it did not report total active registrants in 2016, as the state commented that they could not "differentiate between active and inactive from our point in time snapshot of the voter registration numbers." The U.S. territories of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands do not have a change rate because the U.S. Census Bureau does not provide an estimate for their CVAP. Cutoff points in the graph were selected to reflect states that decreased, that slightly increased, and that notably increased in terms of the active CVAP registration rate from 2016 to 2020.

⁵⁷ New York reported an uncharacteristically high number of active and total registrations in the 2016 EAVS compared to the registrations reported in the general elections of 2014, 2018, and 2020, which led to the drop in active registrants noted in the 2020 EAVS. The percentage of active CVAP voter registration was calculated by dividing the total active registrants (item A1b in the 2020 EAVS) by the total CVAP.



Types of Registrations Received for the 2020 General Election

When a person submits a registration form, it is processed by the state and can reach one of several outcomes. Valid applications from persons who are eligible and not already registered are considered new applications and are added to the voter registration rolls. Applications submitted by persons already registered to vote at the same address with the same name and personal information are considered duplicates. Applications from already-registered persons wishing to change their name, party affiliation, or address are processed as updates to existing registrations. Applications that do not meet the requirements of eligibility are considered invalid or rejected. When allowed by state law, applications submitted by persons under 18 years old are processed as preregistrations so that they will be registered when they become of voting age.

All registration forms received are processed and scrutinized by election officials to ensure that the information is correct, that only eligible voters are added to the registration rolls, and that duplicate registration records are not created. After the application's review by election officials and following the NVRA's guidelines, states must notify the applicant with the result of their application. For example, a successful application may be notified in the form of a registration card mailed to the applicant or a notice of rejection may be mailed to unsuccessful applicants.

Valid Registrations

Table 1 displays information on the result of the registration applications that were received by states. Of the more than 100 million registration applications received between the 2018 and the 2020 federal general elections, the most common type of registration was an update to an existing record that did not involve a cross-jurisdiction change of address.⁵⁸ These updates usually involve a change of name (such as after a marriage or divorce), party affiliation, or within-jurisdiction change of address; these updates accounted for 49.4% of the registrations processed at the national level.⁵⁹ New valid registrations—a registration application received from an eligible person in a jurisdiction where they were not previously registered and that resulted in a new registration record being added to the voter registration roll—made up 32.2% of the registrations received.⁶⁰

Other types of valid registrations reported in the EAVS included a change of address that crossed local jurisdiction borders but was still within the state, which accounted for 9.5% of the total registration applications filed.⁶¹ Some states reported allowing for underage citizens to preregister to vote so that they are automatically added to the voter registration rolls when they turn 18 years old.

⁵⁸ The number of total registration applications was reported in item A3a of the EAVS. The number of registration applications that were a change of name, party, or within-jurisdiction change of address was reported in item A3f of the EAVS.

⁵⁹ The percentage of registration applications that were a change of name, party, or within-jurisdiction change of address received was calculated by dividing the number of such registration applications received (item A3f of the EAVS) by the total number of registration applications received (item A3a of the EAVS). Casewise deletion at the state level was used in this calculation.

⁶⁰ The percentage of registration applications that were a new registration was calculated by dividing the number of such registration applications received (item A3b of the EAVS) by the total number of registration applications received (item A3a of the EAVS). Casewise deletion at the state level was used in this calculation.

⁶¹ The percentage of registration applications that were a cross-jurisdiction change of address was calculated by dividing the number of such registration applications received (item A3g of the EAVS) by the total number of registration applications received (item A3a of the EAVS). Casewise deletion at the state level was used in this calculation.

These preregistrations accounted for 1.2% of the total registrations among states that allowed them. 62 Finally, 14.7% of the registrations were labelled as "Other." This category in the EAVS is used by states to report registrations that were not covered among the standard categories, or in most cases, to report registrations that could not be broken down into the categories provided, such as a change to existing records that some jurisdictions could not determine whether it involved a within or cross-jurisdictional change of address. 63

Table 1. Most Registration Applications Were New Applications or Within-Jurisdiction Changes

Type of Registration Form Received	Percentage of Total Registration Forms Received
Change of name, party, or address (within jurisdiction)	49.4%
New valid registrations	32.2%
Other	14.7%
Duplicate registrations	9.7%
Cross-jurisdiction change of address	9.5%
Invalid or rejected	2.9%
Preregistrations from persons under 18 years of age	1.2%

Source: The percentage of registrations received that were a change of name, party, or within-jurisdiction change of address received was calculated as $(A3f/A3a) \times 100$. The percentage of registrations received that were a new valid registration was calculated as $(A3b/A3a) \times 100$. The percentage of registrations received that were a duplicate registration was calculated as $(A3d/A3a) \times 100$. The percentage of registrations received that were a cross-jurisdiction change of address was calculated as $(A3g/A3a) \times 100$. The percentage of registrations received that were labelled as "Other" registrations was calculated as $((A3h+A3i+A3j)/A3a) \times 100$. The percentage of registrations received that were invalid or a rejected registration was calculated as $(A3e/A3a) \times 100$. The percentage of registrations received that were a preregistration of persons under 18 years of age was calculated as $(A3c/A3a) \times 100$. Casewise deletion was used at the state level in these calculations (percentages for each type of registration were calculated independently and only states that reported data for a given type were included in the analysis), and because of this, percentages do not sum to 100%.

Rejected and Duplicate Registrations

Some of the registration forms received by states do not result in the creation or the update of a registration record. The two types of invalid registration applications that the EAVS collects data on are rejected applications and duplicate applications. The first group includes applications that contain incorrect information, information that cannot be validated against existing state records, or applications from persons who do not meet eligibility requirements. In the period between the close

62 The percentage of registration applications that were a preregistration of persons under 18 years of age was calculated by dividing the number of such registration applications received (item A3c of the EAVS) by the total number of registration applications received (item A3a of the EAVS). Casewise deletion at the state level was used in this calculation.
 63 The percentage of registration applications that were categorized as "other" was calculated by dividing the total number of such registration applications received (sum of items A3h, A3i, and A3j of the EAVS) by the total number of registration

of the percentage of registration applications that were categorized as other was calculated by dividing the total number of such registration applications received (sum of items A3h, A3i, and A3j of the EAVS) by the total number of registration applications received (item A3a of the EAVS). Casewise deletion at the state level was used in this calculation. Not all the applications accounted for in the "other" category may be valid; however, they were included in this section because they cannot be fully identified as rejected or duplicate either.



of registration for the 2018 general election and the close of registration for the 2020 general election, states reported rejecting 2,840,590 applications, accounting for 2.9% of the total registration applications received. This percentage is comparable to the percentage of registrations that were rejected in 2018 (3.4%) and 2016 (3.2%).⁶⁴

Duplicate registrations include applications that are exact matches to existing registration records; these can be applications submitted by persons who did not realize they were already registered to vote or who submitted multiple applications through different modes (e.g., submitted an application with the exact same information through the mail and online). States reported receiving 8,827,089 duplicate applications between the 2018 and the 2020 federal general elections, which accounted for 9.7% of the total registrations received.⁶⁵ As with rejected applications, the percentage of duplicate registrations registered in 2020 was comparable to those in 2018 (10.2%) and 2016 (7.9%).⁶⁶

A majority of states provided a breakdown of the total, rejected, and duplicate registrations they received and the source of those registrations (e.g., mail, in person). As expected, most registration sources had rejection and duplicate percentages that were similar to the national averages; however, there were a few outliers. For duplicate registrations, the overall percentage at the national level was 9.7%, and most sources reported duplicate percentages similar to the national level, ranging from 5.3% to 13.3%. However, there were exceptions, such as state-designated offices not mandated by the NVRA, that reported lower levels of duplicate registrations (3%). At the other side of the spectrum, registrations received by mail, fax, or email had notably higher levels of duplicate registrations received (19.1%) compared to the national average.

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⁶⁴ The number of total registration application rejections was obtained from item A3e of the EAVS. The percentage of registrations received that were invalid or rejected registrations in 2020 was calculated as the total applications rejected in 2020 (item A3e in the 2020 EAVS) divided by the total registration applications received (item A3a in the 2020 EAVS). The percentage of registrations received that were invalid or rejected registrations in 2018 was calculated as the total applications rejected in 2018 (item A3e in the 2018 EAVS) divided by the total registration applications received (item A3a in the 2018 EAVS). The percentage of registrations received that were invalid or rejected registrations in 2016 was calculated as the total applications rejected in 2016 (item A5e in the 2016 EAVS) divided by the total registration applications received (item A5a in the 2016 EAVS). Casewise deletion at the state level was used in this calculation.
⁶⁵ The number of total duplicate registration applications was obtained from item A3d of the EAVS. The percentage of registrations received that were duplicate registrations in 2020 was calculated as the total duplicate applications in 2020 (item A3d in the 2020 EAVS) divided by the total registration applications received (item A3a in the 2020 EAVS). Casewise deletion at the state level was used in this calculation.

⁶⁶ The percentage of registrations received that were duplicate registrations in 2020 was calculated as the total duplicate applications in 2018 (item A3d in the 2018 EAVS) divided by the total registration applications received (item A3a in the 2018 EAVS). The percentage of registrations received that were duplicate registrations in 2016 was calculated as the total duplicate applications in 2016 (item A5d in the 2016 EAVS) divided by the total registration applications received (item A5a in the 2016 EAVS). Casewise deletion at the state level was used in this calculation.

⁶⁷ Thirteen states did not provide the application source breakdown for duplicate registrations, and 14 states did not provide the application source breakdown for rejected registrations. Data from these states were not included in the ensuing calculations in the paragraph.

 $^{^{68}}$ The percentage of registration applications received from a source and categorized as duplicate was calculated as follows for each registration source included in the range: in person = $(A6b/A4b) \times 100$; online = $(A6c/A4c) \times 100$; motor vehicle department = $(A6d/A4d) \times 100$; public assistance offices = $(A6e/A4e) \times 100$; state-funded agencies serving persons with disabilities = $(A6f/A4f) \times 100$; armed forces recruitment offices = $(A6g/A4g) \times 100$; registration drives = $(A6i/A4i) \times 100$; Other = $((A6j+A6k+A6l)/(A4j+A4k+A4l)) \times 100$. Casewise deletion at the state level was used in this calculation.

 $^{^{69}}$ The percentage of registration applications that were duplicates was calculated as follows for each registration source mentioned: state-designated offices not mandated by the NVRA = (A6h/A4h) x 100; mail/fax/email = (A6a/A4a) x 100. Casewise deletion at the state level was used in this calculation.

represented 2.9% of registrations at the national level, and most sources reported a rejection percentage close to that, ranging from 1.7% to 4.2% of registrations rejected, 70 except for registration drives (10.1%), and NVRA-mandated public assistance offices (9.1%) that had notably higher levels of applications classified as rejected or invalid. 71

Registration List Maintenance

The NVRA requires states to maintain an "accurate and current voter registration roll" to "protect the integrity of the electoral process." To facilitate this maintenance, the NVRA requires that any change of address submitted to a motor vehicle department must serve as notification of a change of address for voter registration, unless the individual indicates that the change is not for voter registration purposes. The law also requires states and territories to conduct a uniform and nondiscriminatory general program to remove the records of ineligible voters. States and territories have considerable freedom to choose when, where, and how these functions are performed, but must follow the guidelines listed in the NVRA, which describe the need to use confirmation notices and to complete (with few exceptions) systematic removal programs "not later than 90 days prior to the date of a primary or general election for Federal office," 3 as well as to keep a detailed list of instances in which it is appropriate to remove a record from the voter registration rolls.

Confirmation Notices

One tool that states may use to keep their voter registration rolls up to date are confirmation notices. These are postage pre-paid and pre-addressed return cards that are sent to registrants who a state suspects are no longer eligible to vote in the jurisdiction in which they are registered. If the registrant does not return the confirmation notice, they can be added to the inactive registrant list and would be asked to provide proof of residence before voting. If the registrant fails to return the confirmation notice and does not participate in the subsequent two consecutive federal elections, then the NVRA grants the state the ability to remove the registrant from the voter registration roll. If the registrant has not moved out of the voting jurisdiction, they must complete and return the confirmation notice no later than the registration deadline of the next election to remain on the list of active registrants.

 $^{^{70}}$ The percentage of registration applications received from a source and categorized as invalid or rejected was calculated as follows for each registration source included in the range: mail/fax/email = $(A7a/A4a) \times 100$; in person = $(A7b/A4b) \times 100$; online = $(A7c/A4c) \times 100$; motor vehicle department = $(A7d/A4d) \times 100$; state-funded agencies serving persons with disabilities = $(A7f/A4f) \times 100$; armed forces recruitment offices = $(A7g/A4g) \times 100$; state-designated offices not mandated by the NVRA = $(A7h/A4h) \times 100$; and Other = $((A7j+A7k+A7l)/(A4j+A4k+A4l) \times 100$. Casewise deletion at the state level was used in this calculation.

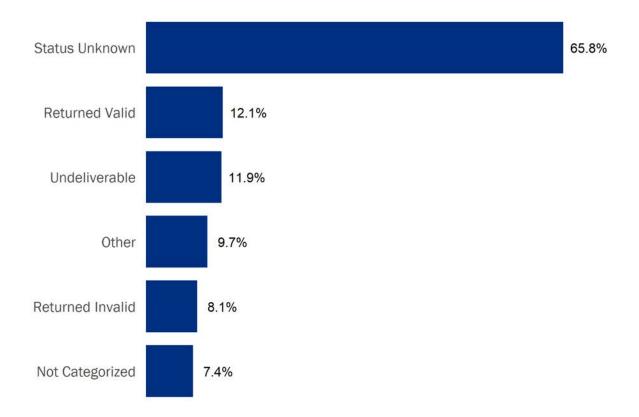
 $^{^{71}}$ The percentage of registration applications received from a source and categorized as invalid or rejected was calculated as follows for each registration source mentioned: registration drives = $(A7i/A4i) \times 100$; public assistance offices = $(A7e/A4e) \times 100$. Casewise deletion at the state level was used in this calculation.

^{72 52} U.S.C. § 20501

⁷³ 52 U.S.C. § 20507



Figure 5. Almost Two-Thirds of Confirmation Notices That Were Sent Had an Unknown Status



Source: Status unknown (A8e) refers to any notice that was sent to a voter but was not received back confirming registration, confirming invalidation, or returned as undeliverable. This percentage was calculated as $(A8e/A8a) \times 100$. The percentage of confirmation notices sent and returned confirming valid registration was calculated as $(A8b/A8a) \times 100$. The percentage of confirmation notices sent and returned undeliverable was calculated as $(A8d/A8a) \times 100$. The percentage of confirmation notices sent and returned confirming registration should be invalidated was calculated as $(A8c/A8a) \times 100$. The percentage of confirmation notices sent and not categorized was calculated as $(1 - ((A8b+A8c+A8d+A8e+A8f+A8g+A8h)/A8a)) \times 100$. The percentage of confirmation notices sent and labeled as other was calculated as $((A8b+A8c+A8d+A8e+A8f+A8g+A8h)/A8a) \times 100$. Casewise deletion was used at the state level (percentages for each category were calculated independently and only states that reported data for a given category were included in the analysis), and because of this, percentages do not sum to 100%.

Nationally, 28,010,094 confirmation notices were sent between the 2018 general election and the month before the 2020 general election, accounting for 14.3% of the active voters reported by states in 2020.⁷⁴ This percentage is slightly higher than what was reported by states in 2018

⁷⁴ The total number of confirmation notices sent was reported in item A8a of the EAVS. The number of confirmation notices sent as a percentage of the active registrants was calculated using total confirmation notices sent (item A8a of the EAVS) divided by total active registrants (A1b of the EAVS). Casewise deletion at the state level was used in this calculation. In 2020, 49 states and territories reported the number of confirmation notices sent during the period of registration for the 2020 general election. North Dakota does not require citizens to register to vote and, thus, does not use confirmation notices. Minnesota, Puerto Rico, the U.S. Virgin Islands, and Wyoming are NVRA exempt. Alabama reported that they did "not have a report that has the total number of confirmation notices sent." Indiana did not provide this information

(11.6%) and in 2016 (10.9%).⁷⁵ Figure 5 shows that confirmation notices with an unknown status accounted for 65.8% of the total. The unknown status notices generally included confirmation notices that were sent and never returned to the jurisdiction—allowing states to move the addressees of these notices to the inactive registration list if the state uses that designation. States reported 12.1% of confirmation notices were returned confirming the voter's continued eligibility, and 8.1% were returned confirming the voter was no longer eligible to vote in the jurisdiction or no longer wanted to be registered to vote.

Removing Voters From Voter Registration Rolls

The NVRA mandates that registrants may only be removed from the voter registration rolls in these circumstances:

- Upon the death of the registrant;
- Upon the registrant's written confirmation that their address has changed to a location outside the registrar's jurisdiction;
- On the request of the registrant;
- For mental incapacity of the registrant, as provided in state law;
- On criminal conviction of the registrant, as provided in state law; or
- On the registrant's failure to respond to certain confirmation mailings <u>along with</u> failure to appear to vote in two consecutive federal general elections subsequent to the mailing.

Because some of the states' processes to remove a registrant from the voter registration rolls can take up to two federal general election cycles to complete, it is inevitable that voter registration rolls will contain some number of voter records for individuals who are no longer eligible to vote.

Between the close of registration for the 2018 general election and the close of registration for the 2020 general election, states reported removing 18,781,054 records from their voter registration rolls. ⁷⁶ This was equal to 8.2% of the total number of voters who were registered in the United States as of the close of registration for the 2020 general election. ⁷⁷ Almost two-thirds of the states and territories reported removing a number of registrants that added up to between 3% and 10% of their total registered voters. There were some exceptions to this trend: Connecticut's removals accounted

because it "does not send the removal notices referenced by the EAC survey." Forty-four states reported the status of the confirmation notices sent. In addition to the states that did not report on confirmation notices, Delaware, Kentucky, Louisiana, Massachusetts, and Rhode Island did not break down the number of confirmation notices sent by status.

The number of confirmation notices sent as a percentage of the active registrants in 2018 was calculated using total confirmation notices sent (item A8a of the 2018 EAVS) divided by total active registrants (A1b of the 2018 EAVS). The number of confirmation notices sent as a percentage of the active registrants in 2016 was calculated using total confirmation notices sent (item A10a of the 2016 EAVS) divided by total active registrants (A3a of the 2016 EAVS). Casewise deletion at the state level was used in this calculation.

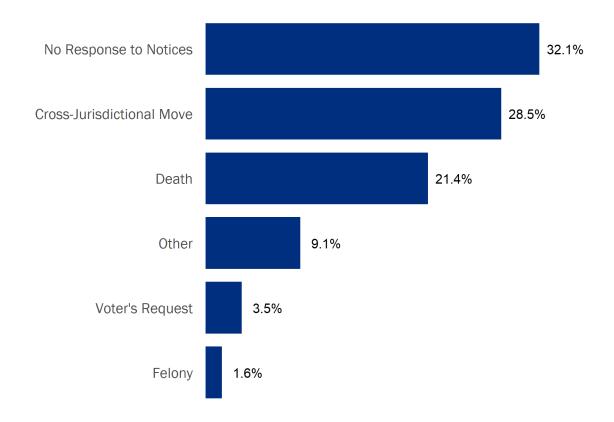
⁷⁶ The total number of registrants removed from the voter registration rolls was reported in item A9a of the EAVS. All states and territories reported data for the items related to voter removal, except for North Dakota, which does not require citizens to register to vote.

⁷⁷ The number of registrants removed as a percentage of total registrants was calculated using total registrants removed from the voter registration rolls (item A9a of the EAVS) divided by total registrants (A1a of the EAVS). Casewise deletion at the state level was used in this calculation.

for the lowest percentage of total registrants at 2.1%, and Puerto Rico reported the highest percentage of removals at 32.3% (see Table 5 of Appendix A in this chapter).

States also reported the reasons for removing records from their voter registration rolls. These reasons for removal are shown in Figure 6. The most common reason was failure to both respond to a confirmation notice and to vote in two consecutive federal general elections, which accounted for 32.1% of removals. Cross-jurisdiction change of address and death of the registrant were the other two major reasons for states' removal of registrants from their rolls (28.5% and 21.4%, respectively).

Figure 6. Almost One-Third of Removed Registration Records Were a Result of Failure to Respond to a Confirmation Notice



Source: The percentage of registrations removed because of no response to confirmation notices (and not voting in the following two general elections) was calculated as $(A9e/A9a) \times 100$. The percentage of registrations removed because of a cross-jurisdiction change of address was calculated as $(A9b/A9a) \times 100$. The percentage of registrations removed because of death was calculated as $(A9c/A9a) \times 100$. The percentage of registrations removed because the voter was declared mentally incompetent or because of other reasons was calculated as $((A9f+A9h+A9i+A9j)/A9a) \times 100$. The percentage of registrations removed because the voter requested to be removed was calculated as $(A9g/A9a) \times 100$. The percentage of registrations removed because of disqualifying felony conviction was calculated as $(A9d/A9a) \times 100$. Casewise deletion was used at the state level (percentages for each category were calculated independently and only states that reported data for a given category were included in the analysis), and because of this, percentages do not sum to 100%.

The majority of states reported that a registrant could be removed from the voter registration rolls if the registrant received a disqualifying criminal conviction and/or was incarcerated, 78 but only 1.6% of the removals were the result of a disqualifying felony conviction. 79 Two states, however, reported that more than 10% of their registration removals happened due to criminal convictions or incarceration. Georgia reported that 10.8% of registrants were removed for this reason, and Kentucky (13.3%) reported the largest percentage of this type of removal. Kentucky also reported criminal conviction as a common reason for registration removal in the 2018 EAVS.80

⁷⁸ Maine, Vermont, Puerto Rico, Guam, and the District of Columbia reported criminal conviction and/or incarceration was not a reason for voter removal in item Q37 of the 2020 Policy Survey.

 $^{^{79}}$ The percentage of registrations removed because of a disqualifying felony conviction was calculated as (A9d/A9a) x 100. Casewise deletion was used at the state level.

⁸⁰ The percentage of registrations removed because of a disqualifying felony conviction in 2018 was calculated as the total registrants removed from the voter registration rolls for this reason (item A9d of the 2018 EAVS) divided by total registrants removed from the rolls (item A9a in 2018).



Appendix A: Descriptive Tables

Voter Registration Table 1: Registration History

State	Year	CVAP Total	Reported Registrations	Active Registrations	Active Regs. (% of CVAP)	Active Regs. (% of Total)	Inactive Registrations	Inactive Regs. (% of Total)
	2020	3,731,336	3,717,798	3,438,213	92.1	92.5	279,585	7.5
Alabama	2018	3,688,249	3,465,352	3,164,301	85.8	91.3	301,051	8.7
	2016	3,653,381	3,333,946	3,049,655	83.5	91.5	139,638	4.2
	2020	533,151	646,093	595,647	111.7	92.2	50,446	7.8
Alaska	2018	531,653	624,467	571,851	107.6	91.6	52,616	8.4
	2016	528,248	587,303	528,671	100.1	90.0	58,632	10.0
	2020	-	16,341	16,341		100.0	0	0.0
American Samoa [1], [2], [3]	2018	-	15,527	8,462	_	54.5	7,065	45.5
[±], [≥], [∪]	2016	-	_	-	_	_		-
	2020	5,137,474	4,728,109	4,275,729	83.2	90.4	452,380	9.6
Arizona	2018	4,895,706	4,276,891	3,715,624	75.9	86.9	561,267	13.1
	2016	4,710,448	4,080,680	3,589,084	76.2	88.0	491,596	12.0
	2020	2,235,415	1,831,414	1,408,061	63.0	76.9	423,353	23.1
Arkansas	2018	2,207,894	1,786,840	1,456,887	66.0	81.5	329,953	18.5
	2016	2,185,724	1,765,513	1,422,393	65.1	80.6	343,120	19.4
	2020	26,032,160	26,157,616	21,795,538	83.7	83.3	4,348,374	16.6
California [4]	2018	25,650,455	25,103,559	19,724,297	76.9	78.6	5,379,262	21.4
	2016	25,002,812	24,486,638	19,435,856	77.7	79.4	5,065,746	20.7
	2020	4,244,210	4,211,528	3,803,762	89.6	90.3	407,766	9.7
Colorado	2018	4,057,437	3,953,613	3,426,499	84.4	86.7	527,114	13.3
	2016	3,896,986	3,840,303	3,336,663	85.6	86.9	503,640	13.1
	2020	2,619,474	2,524,717	2,335,860	89.2	92.5	188,857	7.5
Connecticut	2018	2,611,667	2,369,335	2,193,586	84.0	92.6	175,749	7.4
	2016	2,584,884	2,331,684	2,162,797	83.7	92.8	168,887	7.2
	2020	725,178	739,672	711,287	98.1	96.2	28,385	3.8
Delaware	2018	709,999	695,014	672,632	94.7	96.8	22,382	3.2
	2016	697,148	675,663	642,334	92.1	95.1	33,329	4.9
	2020	536,768	625,683	517,890	96.5	82.8	107,793	17.2
District of Columbia	2018	510,514	617,046	511,633	100.2	82.9	105,413	17.1
20.0	2016	504,242	493,287	493,287	97.8	100.0		-
	2020	15,507,315	15,231,808	14,517,002	93.6	95.3	701,422	4.6
Florida	2018	15,014,950	14,126,722	13,278,070	88.4	94.0	848,652	6.0
	2016	14,441,877	13,505,571	12,853,866	89.0	95.2	139,638 50,446 52,616 58,632 0 7,065 452,380 561,267 491,596 423,353 329,953 343,120 4,348,374 5,379,262 5,065,746 407,766 527,114 503,640 188,857 175,749 168,887 28,385 22,382 33,329 107,793 105,413 701,422	4.8

State	Year	CVAP Total	Reported Registrations	Active Registrations	Active Regs. (% of CVAP)	Active Regs. (% of Total)	Inactive Registrations	Inactive Regs. (% of Total)
	2020	7,581,837	7,618,436	7,194,889	94.9	94.4	423,547	5.6
Georgia	2018	7,362,615	6,944,851	6,437,524	87.4	92.7	507,327	7.3
	2016	7,168,068	6,657,621	5,463,014	76.2	82.1	1,194,607	17.9
	2020		55,896	55,896		100.0	-	
Guam [1], [2]	2018		55,941	55,941	-	100.0	_	
	2016		51,720	51,720	_	100.0	_	
	2020	1,014,035	832,466	759,971	74.9	91.3	72,495	8.7
Hawaii	2018	1,025,548	756,751	712,765	69.5	94.2	43,986	5.8
	2016	1,022,704	751,483	666,573	65.2	88.7	84,910	11.3
	2020	1,282,630	1,029,763	1,029,763	80.3	100.0		
Idaho [2]	2018	1,219,481	917,609	917,609	75.2	100.0	_	
	2016	1,168,843	936,529	936,529	80.1	100.0	-	
	2020	9,088,036	9,789,893	9,103,542	100.2	93.0	686,351	7.0
Illinois	2018	9,055,927	8,751,060	8,091,045	89.3	92.5	660,015	7.5
	2016	9,017,653	8,843,038	8,055,096	89.3	91.1	787,942	8.9
	2020	4,978,356	4,692,091	4,170,353	83.8	88.9	521,738	11.1
Indiana	2018	4,899,251	4,500,196	4,168,374	85.1	92.6	331,822	7.4
	2016	4,856,797	4,839,038	4,149,560	85.4	85.8	689,478	14.2
	2020	2,348,787	2,243,758	2,094,770	89.2	93.4	148,988	6.6
lowa	2018	2,325,355	2,193,813	2,037,516	87.6	92.9	156,297	7.1
	2016	2,310,467	2,222,380	2,047,368	88.6	92.1	175,012	7.9
	2020	2,103,748	1,924,772	1,764,949	83.9	91.7	148,624	7.7
Kansas	2018	2,091,261	1,835,473	1,670,217	79.9	91.0	165,256	9.0
	2016	2,074,102	1,785,834	1,601,818	77.2	89.7	184,016	10.3
	2020	3,367,502	3,565,428	3,319,307	98.6	93.1	246,121	6.9
Kentucky [5]	2018	3,350,956	3,402,905	3,402,905	101.6	100.0	0	0.0
	2016	3,329,835	3,306,120	3,306,120	99.3	100.0	-	
	2020	3,463,372	3,093,004	2,963,901	85.6	95.8	129,103	4.2
Louisiana	2018	3,469,016	2,992,170	2,856,722	82.3	95.5	135,448	4.5
	2016	3,454,978	3,058,741	2,891,902	83.7	94.5	131,339	4.3
	2020	1,078,770	1,138,576	1,135,008	105.2	99.7	3,568	0.3
Maine	2018	1,064,497	1,057,967	1,054,068	99.0	99.6	3,899	0.4
	2016	1,056,410	1,065,100	1,059,270	100.3	99.5	5,830	0.5
	2020	4,316,921	4,298,942	4,142,347	96.0	96.4	156,595	3.6
Maryland [6]	2018	4,310,864	3,954,027	3,954,027	91.7	100.0	_	_
	2016	4,239,987	3,900,090	3,900,090	92.0	100.0	-	-



State	Year	CVAP Total	Reported Registrations	Active Registrations	Active Regs. (% of CVAP)	Active Regs. (% of Total)	Inactive Registrations	Inactive Regs. (% of Total)
	2020	5,057,192	4,812,909	4,400,254	87.0	91.4	412,655	8.6
Massachusetts	2018	4,993,001	4,574,967	3,947,897	79.1	86.3	627,070	13.7
	2016	4,924,459	4,534,974	3,994,635	81.1	88.1	540,339	11.9
	2020	7,562,464	8,105,524	7,209,300	95.3	88.9	896,224	11.1
Michigan [7]	2018	7,481,928	7,471,088	6,488,823	86.7	86.9	982,265	13.1
	2016	7,436,478	7,514,055	6,748,385	90.7	89.8	765,670	10.2
	2020	4,157,556	3,731,016	3,731,016	89.7	100.0	-	-
Minnesota [2], [8]	2018	4,079,652	3,422,515	3,422,515	83.9	100.0	-	-
(-)	2016	4,007,159	3,473,972	3,473,972	86.7	100.0	-	-
	2020	2,246,323	2,143,149	1,982,632	88.3	92.5	160,517	7.5
Mississippi	2018	2,234,722	2,079,732	1,880,197	84.1	90.4	199,535	9.6
	2016	2,220,616	2,072,395	1,888,433	85.0	91.1	183,962	8.9
	2020	4,650,318	4,338,133	3,963,980	85.2	91.4	374,153	8.6
Missouri	2018	4,606,843	4,127,333	3,803,881	82.6	92.2	323,452	7.8
	2016	4,567,771	4,215,860	3,812,576	83.5	90.4	403,284	9.6
	2020	831,760	747,439	675,971	81.3	90.4	71,468	9.6
Montana [9]	2018	810,760	706,173	616,642	76.1	87.3	89,531	12.7
	2016	797,198	694,370	574,334	72.0	82.7	120,036	17.3
	2020	1,388,950	1,266,730	1,168,708	84.1	92.3	98,022	7.7
Nebraska [10]	2018	1,368,000	1,219,276	1,096,862	80.2	90.0	122,414	10.0
	2016	1,352,947	1,211,101	1,091,951	80.7	90.2	119,150	9.8
	2020	2,111,932	2,039,162	1,835,401	86.9	90.0	203,761	10.0
Nevada	2018	2,031,213	1,773,566	1,563,750	77.0	88.2	209,816	11.8
	2016	1,942,764	1,678,883	1,468,559	75.6	87.5	210,324	12.5
	2020	1,070,215	1,087,145	1,087,145	101.6	100.0	-	-
New Hampshire [2], [11]	2018	1,048,883	988,148	988,148	94.2	100.0	-	-
[-], []	2016	1,035,684	988,398	988,398	95.4	100.0	0	0.0
	2020	6,170,130	6,310,564	5,896,836	95.6	93.4	413,728	6.6
New Jersey	2018	6,199,409	5,869,078	5,456,506	88.0	93.0	412,572	7.0
	2016	6,154,126	5,751,090	5,321,542	86.5	92.5	429,548	7.5
	2020	1,522,171	1,360,871	1,255,669	82.5	92.3	105,202	7.7
New Mexico [12]	2018	1,493,318	1,261,639	698,172	46.8	55.3	563,467	44.7
	2016	1,470,045	1,289,420	1,136,059	77.3	88.1	152,277	11.8
	2020	13,810,830	13,555,618	12,362,997	89.5	91.2	1,191,845	8.8
New York [13]	2018	13,866,648	12,695,763	11,676,266	84.2	92.0	1,019,497	8.0
	2016	13,704,991	16,200,892	16,200,892	118.2	100.0		

State	Year	CVAP Total	Reported Registrations	Active Registrations	Active Regs. (% of CVAP)	Active Regs. (% of Total)	Inactive Registrations	Inactive Regs. (% of Total)
	2020	7,729,644	7,372,608	6,607,121	85.5	89.6	765,487	10.4
North Carolina	2018	7,509,879	7,095,209	5,898,244	78.5	83.1	1,196,965	16.9
	2016	7,296,335	6,924,469	5,930,252	81.3	85.6	994,217	14.4
	2020	567,545	-	-		-	-	
North Dakota [14]	2018	564,475	_	-		-	-	-
[]	2016	571,119	_	-		-	-	
Northern	2020	-	18,526	18,526		100.0	-	-
Mariana Islands	2018	-	-	-		-	-	-
[1], [2], [15]	2016	-	-	-		-	-	-
	2020	8,879,469	8,073,829	8,073,829	90.9	100.0	-	-
Ohio [2], [16]	2018	8,830,185	8,070,917	8,070,917	91.4	100.0	-	-
	2016	8,765,154	7,861,025	7,861,025	89.7	100.0	-	-
	2020	2,875,059	2,259,107	2,021,846	70.3	89.5	237,261	10.5
Oklahoma	2018	2,835,451	2,120,843	1,857,700	65.5	87.6	263,143	12.4
	2016	2,807,548	2,157,450	1,817,461	64.7	84.2	339,989	15.8
	2020	3,162,204	2,944,588	2,944,588	93.1	100.0	-	-
Oregon [17]	2018	3,060,328	2,748,232	2,748,232	89.8	100.0	-	-
	2016	2,956,232	2,553,810	2,553,810	86.4	100.0	-	
	2020	9,810,201	9,035,061	8,280,348	84.4	91.6	754,713	8.4
Pennsylvania [18]	2018	9,764,119	8,607,748	7,738,989	79.3	89.9	868,759	10.1
[-0]	2016	9,752,322	8,722,975	-	-	-	-	-
	2020	2,579,596	2,355,894	2,355,894	91.3	100.0	-	-
Puerto Rico [2], [19]	2018	2,636,949	_	-		-	-	-
	2016	2,686,177	2,867,558	2,867,558	106.8	100.0	-	-
	2020	800,798	809,117	735,195	91.8	90.9	73,922	9.1
Rhode Island	2018	792,337	781,478	737,419	93.1	94.4	44,059	5.6
	2016	784,997	754,065	721,211	91.9	95.6	32,246	4.3
	2020	3,892,341	3,854,209	3,535,061	90.8	91.7	319,148	8.3
South Carolina	2018	3,799,298	3,538,580	3,538,580	93.1	100.0	396,653	11.2
	2016	3,677,799	3,157,027	3,157,027	85.8	100.0	275,292	8.7
	2020	653,394	635,256	578,683	88.6	91.1	56,573	8.9
South Dakota	2018	641,666	594,453	539,788	84.1	90.8	54,665	9.2
	2016	634,140	595,322	544,930	85.9	91.5	50,392	8.5
	2020	5,129,580	4,436,727	4,226,928	82.4	95.3	209,799	4.7
Tennessee	2018	5,016,103	4,163,359	3,764,513	75.0	90.4	398,846	9.6
	2016	4,919,574	4,110,318	3,534,800	71.9	86.0	575,518	14.0



State	Year	CVAP Total	Reported Registrations	Active Registrations	Active Regs. (% of CVAP)	Active Regs. (% of Total)	Inactive Registrations	Inactive Regs. (% of Total)
	2020	18,875,542	16,955,519	15,279,870	81.0	90.1	1,675,649	9.9
Texas	2018	18,174,345	15,615,925	13,790,247	75.9	88.3	1,653,986	10.6
	2016	17,523,904	14,382,387	11,942,651	68.2	83.0	1,288,225	9.0
	2020		53,341	53,341		100.0	-	
U.S. Virgin Islands [1], [2]	2018		51,095	51,095		100.0	-	
10141140 [1], [1]	2016		46,076	46,076		100.0	-	
	2020	2,134,249	1,861,977	1,713,297	80.3	92.0	148,680	8.0
Utah	2018	2,028,176	1,658,457	1,433,917	70.7	86.5	224,540	13.5
	2016	1,945,001	1,577,069	1,414,758	72.7	89.7	162,311	10.3
	2020	498,705	489,277	440,920	88.4	90.1	48,357	9.9
Vermont	2018	494,550	489,385	447,709	90.5	91.5	41,676	8.5
	2016	494,717	472,289	440,347	89.0	93.2	31,942	6.8
	2020	6,226,623	5,975,561	5,763,187	92.6	96.4	212,374	3.6
Virginia	2018	6,145,893	5,666,627	5,272,602	85.8	93.0	394,025	7.0
	2016	6,062,304	5,604,106	5,066,666	83.6	90.4	537,440	9.6
	2020	5,409,035	5,255,466	4,892,871	90.5	93.1	362,595	6.9
Washington	2018	5,259,892	4,841,431	4,362,480	82.9	90.1	478,951	9.9
	2016	5,081,800	4,872,385	4,277,499	84.2	87.8	594,886	12.2
	2020	1,420,289	1,269,024	1,062,685	74.8	83.7	206,339	16.3
West Virginia	2018	1,428,859	1,245,827	961,894	67.3	77.2	283,933	22.8
	2016	1,451,557	1,254,768	1,142,180	78.7	91.0	112,588	9.0
	2020	4,412,888	3,834,164	3,834,164	86.9	100.0		-
Wisconsin [2], [20]	2018	4,375,063	3,442,004	3,442,004	78.7	100.0		-
[20]	2016	4,340,567	3,768,373	3,768,373	86.8	100.0		
	2020	434,852	303,049	303,049	69.7	100.0		
Wyoming [2]	2018	428,379	283,941	283,941	66.3	100.0		
	2016	434,584	284,203	284,203	65.4	100.0	-	-
	2020	237,998,330	228,004,364	209,441,338	88.2	91.9	18,523,963	9.1
U.S. Total	2018	234,053,619	211,601,918	190,662,485	82.5	90.1	21,164,394	11.3
	2016	229,705,663	214,109,367	185,714,229	84.6	90.4	18,629,063	11.7

Voter Registration Table 1 Calculation Notes:

CVAP Total uses the 1-year ACS CVAP estimate. The 2020 data uses the 2019 CVAP, the 2018 data uses the 2017 CVAP, and the 2016 data uses the 2015 CVAP.

Reported Registrations uses question A1a for 2020, 2018, and 2016.

Active Registrations uses question A1b for 2020 and 2018 and question A3a for 2016.

Active Registrations (% of CVAP) uses question A1b divided by CVAP for 2020 and 2018 and question A3a divided by CVAP for 2016.

Active Registrations (% of Total) uses question A1b divided by A1a for 2020 and 2018 and question A3a divided by A1a for 2016.

Inactive Registrations uses question A1c for 2020 and 2018 and question A3b for 2016.

Inactive Registrations (% of Total) uses question A1c divided by question A1a for 2020 and 2018 and question A3b divided by question A1a for 2016.

Voter Registration Table 1 Data Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from those states that provided data
 for the numerator and denominator of the calculation.
- Because each percentage was calculated independently, the active registration (% of total) and inactive registration (% of total) rates may not sum to 100% for some states or at the national level.
- The citizen voting age population (CVAP) is an estimate of the number of U.S. citizens ages 18 years or older in the state. This report uses the 1-year American Community Survey (ACS) state estimate for 2019 instead of the 5-year estimate to ensure that the CVAP was as current as possible. The estimate for the year 2020 was not available by the time this report was finalized. The 2019 1-year CVAP does not include data that were collected as part of the decennial Census conducted in 2020. For consistency, the CVAP for the 2018 and 2016 general elections was the 1-year ACS state estimate for 2017 and 2015, respectively.
- Some states may report an active CVAP registration rate of 100% or more. This is because the 2019 CVAP was used to calculate the 2020 registration rate and because due to federal law, some ineligible voters may take up to two full election cycles to be removed from the voter registration rolls.
- The Reported Registrations column includes both active and inactive voters (if the state uses such a distinction).
- [1] The U.S. Census Bureau does not calculate a CVAP for the territories of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands.
- [2] American Samoa, Guam, Idaho, Minnesota, New Hampshire, the Northern Mariana Islands, Ohio, Oregon, Puerto Rico, the U.S. Virgin Islands, Wisconsin, and Wyoming reported having only active registered voters.
- [3] American Samoa did not provide data for the 2016 EAVS.
- [4] California adjusted their number of total registrations (A1a) in 2018 after the data were initially released, so the total in this table does not match the total reported in the 2018 EAVS Comprehensive Report. California reported 63,659 fewer registrants in Riverside County in their correction of the 2018 EAVS data.
- [5] Kentucky reported having only active voters in the 2016 EAVS and reported having zero inactive voters in the 2018 EAVS.
- [6] Maryland reported having only active voters in the 2016 and the 2018 EAVS.
- [7] Michigan noted in a survey comment that "Voters reported in A1 are eligible to vote. Those defined as 'inactive' need only to confirm their address before receiving a ballot. Participation in past elections is not a factor in defining eligibility."
- [8] Minnesota noted in a survey comment that "Minnesota is NVRA exempt. Minnesota does not classify voters as inactive per NVRA."



- [9] Montana noted in a survey comment that in A1a, the "total registered/eligible voters consists of active and inactive. Montana reports total registered/eligible voters of 752,538. The difference is provisional, late registration and pending."
- [10] Nebraska noted in a survey comment that the state "does not have 'inactive' voters. The numbers in line [A1c] reflect the number of voters who were sent a section 8(d)(2) notice and have not responded."
- [11] New Hampshire began a rigorous 10-year verification of the checklist beginning April 1, 2021.
- [12] New Mexico's 2018 EAVS data on the number of active registrations contained an error; the correct number is 1,261,532.
- [13] New York reported having only active voters in the 2016 EAVS. This state also reported an uncharacteristically high number of active and total registrations in the 2016 EAVS compared to the registrations reported in the general elections of 2014, 2018, and 2020.
- [14] North Dakota does not have voter registration and does not provide data in Section A of the EAVS.
- [15] The Northern Mariana Islands did not participate in the 2016 or the 2018 EAVS. For 2020, the Northern Mariana Islands reported in a comment in A1 that "Voter[s] are taken out of the roster once inactive as per our Election Statute."
- [16] Ohio reported "Data not available" for the number of inactive registrations in item A1c in 2020. The state did not report inactive registrations in 2018 and 2016.
- [17] Oregon noted in a survey comment that they "do not track number of inactive voters."
- [18] Pennsylvania reported in the 2016 EAVS that the state could not "differentiate between active and inactive from our point in time snapshot of the voter registration numbers."
- [19] Puerto Rico did not participate in the 2018 EAVS because the territory did not hold federal elections in that year.
- [20] Wisconsin is exempt from the NVRA and does not classify inactive voters per NVRA definitions.

Voter Registration Table 2: Application Sources – Total Forms Received

				Regist	ration App	lication Source			
State	Total Applications	Mail, Emai	l, Fax	In Perso Election C		Online		Motor Veh Departme	
		Total	%	Total	%	Total	%	Total	%
Alabama [1]	1,439,361	38,936	2.7	121,744	8.5	391,331	27.2	802,149	55.7
Alaska	1,079,008	78,115	7.2	53,787	5.0	127,471	11.8	75,917	7.0
American Samoa	4,741	48	1.0	4,693	99.0	-			
Arizona	2,943,553	280,196	9.5	29,111	1.0	1,329,327	45.2	1,022,403	34.7
Arkansas	556,911	114,258	20.5	106,480	19.1	-	-	265,023	47.6
California	13,498,938	666,363	4.9	450,494	3.3	5,975,098	44.3	2,997,325	22.2
Colorado	3,195,131	449,231	14.1	70,691	2.2	873,530	27.3	1,587,291	49.7
Connecticut	1,247,433	129,295	10.4	98,004	7.9	287,480	23.0	395,285	31.7
Delaware	707,749	255,305	36.1	46,356	6.5	151,652	21.4	252,208	35.6
District of Columbia	123,147	8,710	7.1	2,345	1.9	36,437	29.6	53,671	43.6
Florida	9,511,345	1,171,574	12.3	1,114,491	11.7	1,974,596	20.8	3,798,746	39.9
Georgia [2]	4,931,889	381,107	7.7	111,983	2.3	857,096	17.4	3,290,439	66.7
Guam	16,376			3,223	19.7	1,016	6.2	10,644	65.0
Hawaii	359,832	55,541	15.4	809	0.2	115,116	32.0	94,350	26.2
Idaho [3]	231,491	73,880	31.9	54,736	23.6	98,290	42.5		
Illinois	1,240,995	410,720	33.1	184,666	14.9	1,196,195	96.4	647,798	52.2
Indiana [4]	2,667,738	451,272	16.9	40,514	1.5	537,526	20.1	842,829	31.6
Iowa	738,352	15,131	2.0	29,148	3.9	4,920	0.7	91,701	12.4
Kansas	817,434	148,506	18.2	65,901	8.1	257,786	31.5	257,918	31.6
Kentucky [5]	1,678,038	36,056	2.1	197,837	11.8	335,156	20.0	1,002,181	59.7
Louisiana [6]	998,149	148,232	14.9	157,764	15.8	474,312	47.5	171,370	17.2
Maine	337,136	45,861	13.6	244,664	72.6	-		16,686	4.9
Maryland	3,511,883	99,604	2.8	77,617	2.2	1,258,781	35.8	1,983,252	56.5
Massachusetts	2,476,295	135,422	5.5	60,842	2.5	1,669,789	67.4	575,093	23.2
Michigan [7]	2,857,335	174,902	6.1	198,642	7.0	630,628	22.1	1,826,846	63.9
Minnesota	1,566,807	84,277	5.4	433,328	27.7	374,280	23.9	266,120	17.0
Mississippi	453,531	112,267	24.8	138,026	30.4	-		164,594	36.3
Missouri	690,757	94,340	13.7	58,855	8.5	262,479	38.0	242,077	35.0
Montana [8]	359,986	138,645	38.5	86,235	24.0			86,123	23.9
Nebraska [9]	726,896	142,050	19.5	31,768	4.4	226,227	31.1	321,496	44.2
Nevada	1,069,550	111,299	10.4	21,209	2.0	439,355	41.1	255,919	23.9
New Hampshire [10]	810,583	5,783	0.7	804,800	99.3			-	
New Jersey	2,959,834	6,710	0.2	162	0.0	284,928	9.6	1,731,406	58.5
New Mexico	570,254	135,472	23.8	54,294	9.5	206,141	36.1	161,184	28.3
New York [11]	2,299,890	586,547	25.5	129,014	5.6	-		1,159,254	50.4
North Carolina	5,164,009	1,850,941	35.8	739,381	14.3	444,602	8.6	1,602,654	31.0
North Dakota [12]	-			-		-			-



				Regist	ration App	ication Source			
State	Total Applications	Mail, Email	, Fax	In Persor Election O		Online		Motor Veh Departme	
		Total	%	Total	%	Total	%	Total	%
Northern Mariana Islands	1,291	36	2.8	1,291	100.0	-	-	-	-
Ohio	2,995,502	449,093	15.0	350,575	11.7	1,140,233	38.1	696,384	23.2
Oklahoma	666,094	149,584	22.5	84,209	12.6	86,268	13.0	297,675	44.7
Oregon	1,955,345	135,106	6.9	56,931	2.9	579,602	29.6	783,103	40.0
Pennsylvania	3,814,150	355,683	9.3	40,358	1.1	1,237,715	32.5	1,717,266	45.0
Puerto Rico	121,352	-		121,352	100.0			-	
Rhode Island [13]	425,389	-				-		-	
South Carolina	2,119,337	416,765	19.7	390,876	18.4	358,852	16.9	901,668	42.5
South Dakota	163,450	40,568	24.8	37,949	23.2			75,140	46.0
Tennessee [14]	1,595,329	213,506	13.4	164,989	10.3	680,172	42.6	446,003	28.0
Texas	5,147,221	2,074,130	40.3	577,120	11.2	0	0.0	2,042,699	39.7
U.S. Virgin Islands	1,878	-		1,692	90.1			-	
Utah	2,280,767	55,629	2.4	218,318	9.6	526,018	23.1	366,842	16.1
Vermont	98,866	2,005	2.0	14,715	14.9	34,109	34.5	39,105	39.6
Virginia	3,880,532	176,330	4.5	114,381	2.9	713,010	18.4	2,728,717	70.3
Washington	3,068,727	449,717	14.7	137,107	4.5	769,418	25.1	1,402,506	45.7
West Virginia	517,145	24,332	4.7	21,822	4.2	174,240	33.7	156,752	30.3
Wisconsin [15]	920,760	70,386	7.6	166,419	18.1	560,518	60.9	-	
Wyoming	86,021	4,035	4.7	81,819	95.1	-	-	-	
U.S. Total	103,701,513	13,253,501	12.9	8,605,537	8.3	27,681,700	28.2	39,705,812	39.3

	Registration Application Source									
State	Public Assist	ance Offices	Disability Sei	vices Offices		Forces ent Offices	Other State	e Agencies		
	Total	%	Total	%	Total	%	Total	%		
Alabama [1]	39,093	2.7	6,477	0.4	292	0.0	16,445	1.1		
Alaska	6,090	0.6	59	0.0	3,001	0.3	95	0.0		
American Samoa	-		_			_	-	-		
Arizona	8,059	0.3	296	0.0	7,754	0.3	13	0.0		
Arkansas	18,507	3.3	466	0.1	67	0.0	5,406	1.0		
California	177,354	1.3	10,931	0.1	6,669	0.0	116,545	0.9		
Colorado	38,028	1.2	2,108	0.1	37	0.0		-		
Connecticut	5,060	0.4	146	0.0	731	0.1	805	0.1		
Delaware	1,006	0.1	773	0.1	0	0.0	0	0.0		
District of Columbia	197	0.2	54	0.0	207	0.2	1,059	0.9		
Florida	31,752	0.3	3,414	0.0	1,298	0.0	776,330	8.2		
Georgia [2]	16,419	0.3	33,856	0.7	103	0.0		-		
Guam			-			-	1,493	9.1		
Hawaii	533	0.1	-	-	-	-	15	0.0		
Idaho [3]	-		_			_				
Illinois	145,211	11.7	4,819	0.4	10,642	0.9	98,720	8.0		
Indiana [4]	20,059	0.8	624	0.0	0	0.0	74	0.0		
Iowa	1,745	0.2	36	0.0	16	0.0	97	0.0		
Kansas	2,348	0.3	109	0.0	79	0.0	2,135	0.3		
Kentucky [5]	94,657	5.6	1,848	0.1	1,966	0.1		-		
Louisiana [6]	32,529	3.3	4,042	0.4	2,915	0.3	6,985	0.7		
Maine		-	-	-	-	-		-		
Maryland	15,961	0.5	462	0.0	96	0.0	-			
Massachusetts	30,202	1.2	2,248	0.1	-	-	2,699	0.1		
Michigan [7]	4,579	0.2	493	0.0	66	0.0	-			
Minnesota		-	-	-	-	-		-		
Mississippi	13,407	3.0	786	0.2			-			
Missouri	28,750	4.2	405	0.1	132	0.0	107	0.0		
Montana [8]	2,889	0.8	2	0.0	132	0.0	0	0.0		
Nebraska [9]	723	0.1	628	0.1	16	0.0		-		
Nevada	38,576	3.6	850	0.1	320	0.0	512	0.0		
New Hampshire [10]			-			-		-		
New Jersey	5,650	0.2	37,322	1.3	4,639	0.2	753,056	25.4		
New Mexico	12,437	2.2	0	0.0	0	0.0	0	0.0		
New York [11]	117,552	5.1	-	-		-	74,983	3.3		
North Carolina	56,882	1.1	2,070	0.0	9	0.0	4,218	0.1		
North Dakota [12]			-	-	-	-	-			
Northern Mariana Islands			-	-	-	-	-	-		
Ohio	214,770	7.2	4,693	0.2	397	0.0	50,967	1.7		



			R	egistration App	plication Sourc	е		
State	Public Assistance Offices		Disability Sei	vices Offices		Forces ent Offices	Other State	: Agencies
	Total	%	Total	%	Total	%	Total	%
Oklahoma	16,688	2.5	572	0.1	18	0.0	45	0.0
Oregon	7,069	0.4	2,968	0.2			7,252	0.4
Pennsylvania	76,897	2.0	-	-	12	0.0	-	-
Puerto Rico		-	-	-		-	-	-
Rhode Island [13]	-	-	-		-		-	
South Carolina	42,870	2.0	480	0.0	433	0.0	-	
South Dakota	3,406	2.1	51	0.0	4	0.0	1,413	0.9
Tennessee [14]	25,085	1.6	71	0.0	4,496	0.3	10,521	0.7
Texas	152,724	3.0	2,731	0.1	383	0.0	297,434	5.8
U.S. Virgin Islands			-			-		
Utah	36	0.0	49	0.0	36	0.0	0	0.0
Vermont	-		-			-	327	0.3
Virginia	6,677	0.2	510	0.0	26	0.0	21,345	0.6
Washington	36,187	1.2	1,737	0.1	20,907	0.7	13,028	0.4
West Virginia	-	-	-	-	-	-	-	-
Wisconsin [15]		-	-	-		-	-	-
Wyoming	-	-	-	-	-	-	-	-
U.S. Total	1,548,664	1.6	129,186	0.1	67,899	0.1	2,264,124	3.0

	Registration Application Source									
State	Registrati	on Drives	Other S	Gources	Not Cat	egorized				
	Total	%	Total	%	Total	%				
Alabama [1]	20,402	1.4	2,492	0.2	0	0.0				
Alaska	0	0.0	734,473	68.1	0	0.0				
American Samoa	-		-	-	0	0.0				
Arizona	141,550	4.8	124,844	4.2	0	0.0				
Arkansas	9,576	1.7	37,128	6.7	0	0.0				
California	83,435	0.6	927,582	6.9	2,087,142	15.5				
Colorado	86,182	2.7	88,033	2.8	0	0.0				
Connecticut	17	0.0	330,610	26.5	0	0.0				
Delaware	449	0.1	-		0	0.0				
District of Columbia	615	0.5	19,852	16.1	0	0.0				
Florida	689,415	7.2	23,199	0.2	-73,470	-0.8				
Georgia [2]	-		240,886	4.9	0	0.0				
Guam					0	0.0				
Hawaii	9	0.0	54,611	15.2	38,848	10.8				
Idaho [3]	30	0.0	11	0.0	4,544	2.0				
Illinois	7,459	0.6	-	-	-1,465,235	-118.1				
Indiana [4]	2,879	0.1	771,710	28.9	251	0.0				
Iowa	7	0.0	595,551	80.7	0	0.0				
Kansas	23,351	2.9	85,601	10.5	-26,300	-3.2				
Kentucky [5]	8,337	0.5	-	-	0	0.0				
Louisiana [6]	-		-		0	0.0				
Maine	10,497	3.1	19,428	5.8	0	0.0				
Maryland	-		76,110	2.2	0	0.0				
Massachusetts	-	-	-	-	0	0.0				
Michigan [7]	9,521	0.3	11,658	0.4	0	0.0				
Minnesota	14,768	0.9	394,034	25.1	0	0.0				
Mississippi	-	-	24,451	5.4	0	0.0				
Missouri	-		3,612	0.5	0	0.0				
Montana [8]	20,155	5.6	25,805	7.2	0	0.0				
Nebraska [9]	-	-	3,988	0.5	0	0.0				
Nevada	135,528	12.7	65,982	6.2	0	0.0				
New Hampshire [10]	-	-	-	-	0	0.0				
New Jersey	-		135,961	4.6	0	0.0				
New Mexico	0	0.0	726	0.1	0	0.0				
New York [11]	14,048	0.6	-	-	218,492	9.5				
North Carolina	172,695	3.3	291,692	5.6	-1,135	0.0				
North Dakota [12]					-					
Northern Mariana Islands	-	-	-	-	-36	-2.8				
Ohio	88,390	3.0	-	-	0	0.0				



			Registration Ap	plication Source			
State	Registration Drives		Other \$	Sources	Not Categorized		
	Total	%	Total	%	Total	%	
Oklahoma	-	-	31,035	4.7	0	0.0	
Oregon	_		383,314	19.6	0	0.0	
Pennsylvania	78,724	2.1	307,495	8.1	0	0.0	
Puerto Rico	-	-	_		0	0.0	
Rhode Island [13]	-	-	-	-	425,389	100.0	
South Carolina	-	-	7,393	0.3	0	0.0	
South Dakota	4,290	2.6	629	0.4	0	0.0	
Tennessee [14]		-	50,486	3.2	0	0.0	
Texas	0	0.0	-		0	0.0	
U.S. Virgin Islands			186	9.9	0	0.0	
Utah	3,254	0.1	1,110,585	48.7	0	0.0	
Vermont	8,605	8.7			0	0.0	
Virginia	70,524	1.8	49,012	1.3	0	0.0	
Washington	31,136	1.0	206,984	6.7	0	0.0	
West Virginia	-	-	139,999	27.1	0	0.0	
Wisconsin [15]	4,623	0.5	118,814	12.9	0	0.0	
Wyoming	-	-	167	0.2	0	0.0	
U.S. Total	1,740,471	2.2	7,496,129	8.9	1,208,490	1.2	

Voter Registration Table 2 Calculation Notes:

Total Registration Applications Received uses question A3a.

Mail, Email, Fax, Total uses question A4a.

Mail, Email, Fax, % uses question A4a divided by question A3a.

In Person at Election Office, Total uses question A4b.

In Person at Election Office, % uses question A4b divided by question A3a.

Online, Total uses question A4c.

Online, % uses question A4c divided by question A3a.

Motor Vehicle Department, Total uses question A4d.

Motor Vehicle Department, % uses question A4d divided by question A3a.

Public Assistance Offices, Total uses question A4e.

Public Assistance Offices, % uses question A4e divided by question A3a.

Disability Services Offices, Total uses question A4f.

Disability Services Offices, % uses question A4f divided by question A3a.

Armed Forces Recruitment Offices, Total uses question A4g.

Armed Forces Recruitment Offices, % uses question A4g divided by question A3a.

Other State Agencies, Total uses question A4h.

Other State Agencies, % uses question A4h divided by question A3a.

Registration Drives, Total uses question A4i.

Registration Drives, % uses question A4i divided by question A3a.

Other Sources, Total uses questions A4j, A4k, and A4l.

Other Sources, % uses the sum of questions A4j, A4k, and A4l divided by question A3a.

Not Categorized, Total uses question A3a minus the sum of questions A4a to A4I. **Not Categorized,** % uses question A3a minus the sum of questions A4a to A4I, all divided by A3a.

Voter Registration Table 2 Data Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from those states that provided data
 for the numerator and denominator of the calculation.
- States have latitude in which registration application sources are offered to their citizens, so long as they do not conflict with federal law. Not all states offer each of the application sources that the EAVS collects data for.
- Questions A4j, A4k, and A4l were not mandatory. States and jurisdictions only reported data in these items if they offered another application source aside from those listed in questions A4a–A4i or if there were registration applications that could not be categorized in questions A4a–A4i.
- Negative numbers in the Not Categorized application source indicate that the sum of registrations
 received for each source account for more than the total number of registrations reported
 received by the state.
- Because each percentage was calculated independently, the percentage of applications received through each source may not sum to 100% for some states or at the national level.
- [1] Alabama noted in a survey comment that the state's A3a data come from an Election Systems & Software (ES&S) election survey. In addition, unknown applications sources were not identified.
- [2] Georgia noted in a survey comment that "Election Day registrations listed in A4j, A5j, A6j, and A7j represent applications submitted to poll workers on Election Day. Georgia law does not allow 'same day' registration. Changes made through applications turned in on Election Day are effective for future elections."
- [3] Idaho noted in survey comments for multiple counties that the state switched to a new voter registration system between the 2018 and the 2020 elections, which made it difficult to track some data for these questions.
- [4] Indiana noted in survey comments that "The data reported in A4a-I consists of data from county surveys (A4a-b, A4i) and SVRS [statewide voter registration system] (A4c-h, A4j, A4k, A4I). Counties do not always manually track the information requested in A4a-b and A4i and therefore aren't included in the sums that should match up to A3a."
- [5] Kentucky noted in a survey comment that "[D]rives by advocacy groups or political parties' is used for high school registrations."
- [6] Louisiana noted in a survey comment that "[V]oters submit registration applications for new registrations as well as for updates or changes to existing registrations. A4 totals reflect both new registrations and changes to registrations."
- [7] Michigan noted in a survey comment that "2020 is the first EAVS since Michigan implemented automatic voter registration and online voter registration, and became a member state of ERC [sic, likely referring to the Electronic Registration Information Center]."
- [8] Montana noted in a survey comment that in A4k, online preregistration indicated that a voter still needed to sign and submit a registration form to the county elections office.
- [9] Nebraska noted in survey comments that "[0]nline registrations via DMV website are currently in the DMV section; unable to split. Registrations received from drives by advocacy groups or political parties A4i are not separately categorized and are included in A4a."



- [10] New Hampshire noted in survey comments that it is not subject to the NVRA and does not have online voter registration.
- [11] New York noted in survey comments that "NYS DMV [New York State Department of Motor Vehicles] does allow voters to submit their registration data online, however it does not automatically register voters. After submittal to the DMV, the information is forwarded to the appropriate county board of elections to approve or deny the voter registration data. NYS BOE [New York State Board of Elections] used the term 'does not apply' instead of 'data not available' since online voter registration has been passed as law, but the statewide system was not available for the 2020 election year."
- [12] North Dakota does not have voter registration and does not provide data in Section A of EAVS.
- [13] Rhode Island reported "data not available" for all modes of registration. The state noted in a survey comment that "[D]ata for this section is unavailable. We rolled out a new voter registration system in December, 2019 so half of the voter registration records were processed in the old system and half in the new system."
- [14] Tennessee noted in survey comments that, for most of its counties, "[D]ata for agencies serving persons with disabilities in [A4]f is included with data for public assistance offices in [A4]e."
- [15] Wisconsin is exempt from the NVRA and does not classify inactive voters per NVRA definitions, receive registrations from NVRA agencies, or collect data on rejected registrations.

Voter Registration Table 3: Registration Applications Processed

				Reg	gistration Ca	ategory			
State	Total Applications	New Val Registrat		Change of Na or Address jurisdict	(within	Change of / (cross-juris		Preregistra (under 18 ye age)	
		Total	%	Total	%	Total	%	Total	%
Alabama [1]	1,439,361	611,844	42.5	1,231,402	85.6			-	
Alaska	1,079,008	69,208	6.4	993,700	92.1	-		-	
American Samoa	4,741	2,263	47.7	133	2.8	160	3.4	0	0.0
Arizona	2,943,553	1,114,852	37.9	1,649,653	56.0	8,988	0.3	1,987	0.1
Arkansas	556,911	237,172	42.6	304,333	54.6	2,547	0.5	0	0.0
California	13,498,938	5,130,351	38.0	2,796,476	20.7	375,969	2.8	101,619	0.8
Colorado [2]	3,195,131	1,486,922	46.5	1,398,963	43.8	217,464	6.8	56,126	1.8
Connecticut [3]	1,247,433	426,102	34.2	609,363	48.8	211,754	17.0	214	0.0
Delaware	707,749	251,286	35.5	248,329	35.1	137,846	19.5	19,045	2.7
District of Columbia [4]	123,147	78,557	63.8	22,754	18.5	0	0.0	0	0.0
Florida	9,511,345	1,757,847	18.5	6,382,594	67.1	1,036,119	10.9	154,986	1.6
Georgia	4,931,889	896,843	18.2	2,840,383	57.6	771,590	15.6	53,882	1.1
Guam	16,376	7,898	48.2	2,288	14.0	2,735	16.7	262	1.6
Hawaii	359,832	115,831	32.2	55,982	15.6	2,260	0.6	4,049	1.1
Idaho [5]	231,491	143,814	62.1	80,981	35.0	14	0.0	4	0.0
Illinois	1,240,995	903,388	72.8	-	-	-		-	
Indiana	2,667,738	795,777	29.8	1,353,935	50.8			47,781	1.8
lowa [6]	738,352	110,513	15.0	-	-	-		11,640	1.6
Kansas	817,434	282,686	34.6	769,790	94.2			-	-
Kentucky	1,678,038	265,594	15.8	828,745	49.4	177,953	10.6		-
Louisiana [7]	998,149	358,864	36.0	389,116	39.0	-		15,662	1.6
Maine	337,136	101,929	30.2	116,732	34.6	95,611	28.4	2,734	0.8
Maryland [8]	3,511,883	387,280	11.0	2,874,580	81.9	192,962	5.5		-
Massachusetts	2,476,295	438,236	17.7	1,076,032	43.5	511,823	20.7	49,525	2.0
Michigan	2,857,335	1,390,433	48.7	1,267,324	44.4	-		41,248	1.4
Minnesota	1,566,807	541,563	34.6	478,932	30.6	300,457	19.2	11,773	0.8
Mississippi [9]	453,531	443,582	97.8			-		8,949	2.0
Missouri [10]	690,757	690,757	100.0	1,939,231	280.7	-			
Montana	359,986	60,304	16.8	150,667	41.9	136,272	37.9	1,536	0.4
Nebraska [11]	726,896	192,426	26.5	412,286	56.7	55,859	7.7		
Nevada	1,069,550	279,912	26.2	728,944	68.2			10,152	0.9
New Hampshire [12]	810,583	125,916	15.5	575,516	71.0	103,537	12.8	32	0.0
New Jersey	2,959,834	878,539	29.7	-	-	-		-	
New Mexico [13]	570,254	161,546	28.3	387,804	68.0	7,580	1.3	11,648	2.0



			Registration Category									
State	Total Applications	New Val Registrati		Change of Na or Address jurisdict	(within	Change of A		Preregistra (under 18 ye age)				
		Total	%	Total	%	Total	%	Total	%			
New York	2,299,890	968,849	42.1	1,300,077	56.5	235,248	10.2	214,037	9.3			
North Carolina	5,164,009	1,563,573	30.3	1,486,375	28.8	-		0	0.0			
North Dakota [14]	-	-	-	-		-	-	-				
Northern Mariana Islands	1,291	1,210	93.7	47	3.6	17	1.3	50	3.9			
Ohio	2,995,502	1,316,156	43.9	1,078,627	36.0	-		14,703	0.5			
Oklahoma	666,094	314,835	47.3	329,996	49.5	-	-	3,774	0.6			
Oregon [15]	1,955,345	354,524	18.1	1,561,949	79.9	-		37,726	1.9			
Pennsylvania	3,814,150	925,690	24.3	1,587,384	41.6	580,754	15.2	0	0.0			
Puerto Rico	121,352	121,144	99.8	-				-				
Rhode Island	425,389	52,401	12.3	296,828	69.8	67,104	15.8	9,028	2.1			
South Carolina [16]	2,119,337	190,219	9.0	1,929,118	91.0			-				
South Dakota	163,450	64,295	39.3	73,069	44.7	24,733	15.1	1,068	0.7			
Tennessee	1,595,329	728,882	45.7	487,345	30.5							
Texas	5,147,221	2,820,912	54.8	2,257,372	43.9	-		-				
U.S. Virgin Islands [17]	1,878	1,084	57.7	769	40.9	25	1.3					
Utah	2,280,767	875,194	38.4	987,599	43.3	88,789	3.9	24,463	1.1			
Vermont	98,866	91,710	92.8	0	0.0	-		0	0.0			
Virginia	3,880,532	604,701	15.6	1,268,274	32.7	484,416	12.5	46,266	1.2			
Washington [18]	3,068,727	807,358	26.3	1,489,191	48.5	325,384	10.6	9,242	0.3			
West Virginia [19]	517,145	144,808	28.0	323,187	62.5	37,444	7.2		-			
Wisconsin [20]	920,760	703,492	76.4	12,721	1.4	115,376	12.5	11	0.0			
Wyoming [21]	86,021	45,933	53.4	39,921	46.4			-				
U.S. Total	103,701,513	33,437,005	32.2	48,476,817	49.4	6,308,790	9.5	965,222	1.2			

Not Categorized Not Categ					Registratio	n Category			
Alabama 1	State	Dupli	icate	Invalid or	Rejected	Oti	ner	Not Cate	egorized
Alaska 6,749 0.6 9,351 0.9 0 0.0 0.0 American 5,8moa 1,409 29.7 776 16.4 0 0.0 0.0 American 1,409 29.7 776 16.4 0 0.0 0.0 Arizana 112,693 3.8 53,770 1.8 1,610 0.1 0 0.0 0.0 Arizana 112,693 3.8 53,770 1.8 1,610 0.1 0 0.0 0.0 Arizana 12,205,489 8.9 659,648 4.9 3,195,931 23.7 33,455 0.2 Colorado [2] 20,952 0.7 14,704 0.5 0 0 0.0 Connecticut [3] 0 0 0.0 Connecticut [3] 0 0 0.0 Connecticut [3] 0 0 0.0 Connecticut [4] 1,679 15.9 2,257 1.8 0 0 0.0 Connecticut [5] 1,679 15.9 2,257 1.8 0 0 0.0 Connecticut [6] 14,071 0.1 196,141 2.1 4,378 0.0 34,791 0.4 Georgia 363,649 7.4 5,542 0.1 0 0 0.0 Connecticut [6] 14,071 0.1 196,141 2.1 4,378 0.0 34,791 0.4 Georgia 363,649 7.4 5,542 0.1 0 0 0.0 Connecticut [7] 14,508 4.0 108,714 30.2 58,488 16.3 Idaho [5] 2,751 1.2 257 0.1 574 0.2 3,096 1.3 Illinois 178,728 14.4 56,399 4.5 102,480 8.3 Indiaho [5] 2,751 1.2 257 0.1 574 0.2 3,096 1.3 Illinois 278,728 14.4 56,399 4.5 102,480 8.3 Indiaho [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Louisiana [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,93 1.2 208,156 20.9 0 0.0 Connecticut [7] 14,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458 1.4 11,458		Total	%	Total	%	Total	%	Total	%
American Samoa 1,409 29.7 776 16.4 - - 0 0.0 Arkonasa 112,693 3.8 53,770 1.8 1,610 0.1 0 0.0 Arkansas 12,764 2.3 95 0.0 - - 0 0.0 Celifornia 1,205,489 8.9 659,648 4.9 3,195,931 23.7 33,455 0.2 Colorado [2] 20,952 0.7 14,704 0.5 - - 0 0.0 Delaware 28,664 4.1 22,579 3.2 - - 0 0.0 District of Columbia [4] 19,579 15.9 2,257 1.8 - - 0 0.0 District of Columbia [4] 19,579 15.9 2,257 1.8 - - 0 0.0 Gorgia 36,3649 7.4 5,542 0.1 - - 0 0.0 Hawaii -	Alabama [1]	16	0.0	7,499	0.5	-		-411,400	-28.6
Sama	Alaska	6,749	0.6	9,351	0.9	-	-	0	0.0
Arizona 112,693 3.8 53,770 1.8 1,610 0.1 0 0.0 Arkansas 12,764 2.3 95 0.0 - - 0 0.0 California 1,205489 8.9 659,648 4.9 3,195,931 23.7 33,455 0.2 Colorado [2] 20,952 0.7 14,704 0.5 - - 0 0.0 Connecticut [3] - - - - - 0 0.0 Delaware 28,664 4.1 22,579 3.2 - - 0 0.0 District of Columbia [4] 19,579 15.9 2,257 1.8 - - 0 0.0 Florida 14,071 0.1 196,141 2.1 4,378 0.0 34,791 0.4 Georgia 363,649 7.4 5,542 0.1 - - 0 0.0 Hawaii - - 14,508		1,409	29.7	776	16.4	-	-	0	0.0
California 1,205,489 8.9 659,648 4.9 3,195,931 23.7 33,455 0.2 Colorado [2] 20,952 0.7 14,704 0.5 — — 0 0.0 Connecticut [3] — — — — — 0 0.0 Delaware 28,664 4.1 22,579 3.2 — — 0 0.0 District of Columbia [4] 19,579 15.9 2,257 1.8 — — 0 0.0 Georgia 363,649 7.4 5,542 0.1 — — 0 0.0 Guam 2,635 16.1 558 3.4 — — 0 0.0 Hawaii — — 14,508 4.0 108,714 30.2 58,488 16.3 Idaho [5] 2,751 1.2 257 0.1 574 0.2 3,096 1.3 Illilinois 178,728 14.4 56,399	Arizona	112,693	3.8	53,770	1.8	1,610	0.1	0	0.0
Colorado [2] 20,952 0.7 14,704 0.5 — — 0 0.0 Connecticut [3] — — — — — — — 0 0.0 Delaware 28,664 4.1 22,579 3.2 — — 0 0.0 District of Columbia [4] 19,579 15,9 2,257 1.8 — — 0 0.0 Florida 14,071 0.1 196,141 2.1 4,378 0.0 34,791 0.4 Georgia 363,649 7.4 5,542 0.1 — — 0 0.0 Hawaii — — 14,508 4.0 108,714 30.2 58,488 16.3 Idaho [5] 2,751 1.2 257 0.1 574 0.2 3,096 1.3 Illinois 178,728 14.4 56,399 4.5 — — 102,480 8.3 Indiana 227,505	Arkansas	12,764	2.3	95	0.0	-		0	0.0
Connecticut 3 -	California	1,205,489	8.9	659,648	4.9	3,195,931	23.7	33,455	0.2
Delaware 28,664	Colorado [2]	20,952	0.7	14,704	0.5			0	0.0
District of Columbia [4] 19,579 15,9 2,257 1.8	Connecticut [3]	-	-	-	-	-	-	0	0.0
Columbia [4] 19,979 15.9 2,257 1.8 -	Delaware	28,664	4.1	22,579	3.2	-		0	0.0
Florida		19,579	15.9	2,257	1.8	-	-	0	0.0
Guam 2,635 16.1 558 3.4 - - 0 0.0 Hawaii - - 14,508 4.0 108,714 30.2 58,488 16.3 Idaho [5] 2,751 1.2 257 0.1 574 0.2 3,096 1.3 Illinois 178,728 14.4 56,399 4.5 - - 102,480 8.3 Indiana 227,505 8.5 31,277 1.2 211,463 7.9 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Kansas 30,203 3.7 - - - - 265,245 -32.4 Kentucky - - 405,746 24.2 - - 0 0.0 Louisiana [7] 14,458 1.4 11,893 1.2 208,156 20.9 0 0.0 Maryland [8] 56,487 1.6 <		14,071	0.1	196,141	2.1	4,378	0.0	-34,791	-0.4
Hawaii	Georgia	363,649	7.4	5,542	0.1	-	-	0	0.0
Idaho [5] 2,751 1.2 257 0.1 574 0.2 3,096 1.3 Illinois 178,728 14.4 56,399 4.5 - - 102,480 8.3 Indiana 227,505 8.5 31,277 1.2 211,463 7.9 0 0.0	Guam	2,635	16.1	558	3.4	-		0	0.0
Illinois 178,728 14.4 56,399 4.5 - - 102,480 8.3 Indiana 227,505 8.5 31,277 1.2 211,463 7.9 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Iowa [6] 44,505 6.0 744 0.1 570,950 77.3 0 0.0 Iowa [7] 44,505 6.0 7.4 1.8 1.8 1.4 11,893 1.2 208,156 20.9 0 0.0 Iowa [7] 4.2 0 0.0 Iowa [8] 56,487 1.6 574 0.0 - - 0 0.0 Iowa [8] 56,487 1.6 574 0.0 - - 0 0.0 Iowa [8] 56,487 1.6 574 19,920 0.8 - - 0 0.0 Iowa [8] 56,839 5.5 1,492 0.1 - - - 1 0.0 Iowa [8] 156,839 5.5 1,492 0.1 - - - 1 0.0 Iowa [8] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iowa [8] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [8] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839 5.5 1,492 0.1 - - - 0 0.0 Iiwa [9] Iowa [9] 156,839	Hawaii	-		14,508	4.0	108,714	30.2	58,488	16.3
Indiana 227,505 8.5 31,277 1.2 211,463 7.9 0 0.0 Iowa [6]	Idaho [5]	2,751	1.2	257	0.1	574	0.2	3,096	1.3
Name	Illinois	178,728	14.4	56,399	4.5	-	-	102,480	8.3
Kansas 30,203 3.7 - - - - -265,245 -32.4 Kentucky - - 405,746 24.2 - - 0 0.0 Louisiana [7] 14,458 1.4 11,893 1.2 208,156 20.9 0 0.0 Maine 5,492 1.6 466 0.1 14,172 4.2 0 0.0 Maryland [8] 56,487 1.6 574 0.0 - - 0 0.0 Massachusetts 380,759 15.4 19,920 0.8 - - 0 0.0 Michigan 156,839 5.5 1,492 0.1 - - 1 0.0 Minnesota 233,861 14.9 221 0.0 - - 0 0.0 Mississippi [9] - - 1,000 0.2 - - 0 0.0 Mortan 10,873 3.0 334	Indiana	227,505	8.5	31,277	1.2	211,463	7.9	0	0.0
Kentucky - - 405,746 24.2 - - 0 0.0 Louisiana [7] 14,458 1.4 11,893 1.2 208,156 20.9 0 0.0 Maine 5,492 1.6 466 0.1 14,172 4.2 0 0.0 Maryland [8] 56,487 1.6 574 0.0 - - 0 0.0 Massachusetts 380,759 15.4 19,920 0.8 - - 0 0.0 Michigan 156,839 5.5 1,492 0.1 - - - 1 0.0 Minnesota 233,861 14.9 221 0.0 - - 0 0.0 Mississippi [9] - - 1,000 0.2 - - 0 0.0 Mortana 10,873 3.0 334 0.1 - - 0 0.0 Nevada 22,676 2.1 27,866	lowa [6]	44,505	6.0	744	0.1	570,950	77.3	0	0.0
Louisiana [7] 14,458 1.4 11,893 1.2 208,156 20.9 0 0.0 Maine 5,492 1.6 466 0.1 14,172 4.2 0 0.0 Maryland [8] 56,487 1.6 574 0.0 - - 0 0.0 Massachusetts 380,759 15.4 19,920 0.8 - - 0 0.0 Michigan 156,839 5.5 1,492 0.1 - - - 0 0.0 Minnesota 233,861 14.9 221 0.0 - - 0 0.0 Mississippi [9] - - 1,000 0.2 - - 0 0.0 Missouri [10] - - 25 0.0 - - -1,939,256 -280.7 Montana 10,873 3.0 334 0.1 - - 0 0.0 Nevada 22,676 2.1	Kansas	30,203	3.7					-265,245	-32.4
Maine 5,492 1.6 466 0.1 14,172 4.2 0 0.0 Maryland [8] 56,487 1.6 574 0.0 - - 0 0.0 Massachusetts 380,759 15.4 19,920 0.8 - - 0 0.0 Michigan 156,839 5.5 1,492 0.1 - - -1 0.0 Minnesota 233,861 14.9 221 0.0 - - 0 0.0 Mississippi [9] - - 1,000 0.2 - - 0 0.0 Missouri [10] - - 25 0.0 - - -1,939,256 -280.7 Montana 10,873 3.0 334 0.1 - - 0 0.0 Nebraska [11] 65,909 9.1 416 0.1 - - 0 0.0 New Hampshire [12] 5,582 0.7 0	Kentucky	-		405,746	24.2	-	-	0	0.0
Maryland [8] 56,487 1.6 574 0.0 - - 0 0.0 Massachusetts 380,759 15.4 19,920 0.8 - - 0 0.0 Michigan 156,839 5.5 1,492 0.1 - - -1 0.0 Minnesota 233,861 14.9 221 0.0 - - 0 0.0 Mississippi [9] - - 1,000 0.2 - - 0 0.0 Missouri [10] - - 25 0.0 - - -1,939,256 -280.7 Montana 10,873 3.0 334 0.1 - - 0 0.0 Nebraska [11] 65,909 9.1 416 0.1 - - 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Jersey 293,851 9.9 28,687	Louisiana [7]	14,458	1.4	11,893	1.2	208,156	20.9	0	0.0
Massachusetts 380,759 15.4 19,920 0.8 - - 0 0.0 Michigan 156,839 5.5 1,492 0.1 - - -1 0.0 Minnesota 233,861 14.9 221 0.0 - - 0 0.0 Missouri [10] - - 1,000 0.2 - - 0 0.0 Missouri [10] - - 25 0.0 - - -1,939,256 -280.7 Montana 10,873 3.0 334 0.1 - - 0 0.0 Nevada 10,873 3.0 334 0.1 - - 0 0.0 Nevada 22,676 2.1 27,866 2.6 - - 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Mexico [13] - - 0 0.0	Maine	5,492	1.6	466	0.1	14,172	4.2	0	0.0
Michigan 156,839 5.5 1,492 0.1 - - -1 0.0 Minnesota 233,861 14.9 221 0.0 - - 0 0.0 Mississippi [9] - - 1,000 0.2 - - 0 0.0 Missouri [10] - - 25 0.0 - - -1,939,256 -280.7 Montana 10,873 3.0 334 0.1 - - 0 0.0 Nebraska [11] 65,909 9.1 416 0.1 - - 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - - 1,676 0.3 - - 0 0.0 New York 406,776 17.7 87,046	Maryland [8]	56,487	1.6	574	0.0			0	0.0
Minnesota 233,861 14.9 221 0.0 - - 0 0.0 Mississippi [9] - - 1,000 0.2 - - 0 0.0 Missouri [10] - - 25 0.0 - - -1,939,256 -280.7 Montana 10,873 3.0 334 0.1 - - 0 0.0 Nebraska [11] 65,909 9.1 416 0.1 - - 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - - 0 0.0 - - 0 0.0 New York 406,776 17.7 87,046 3.8 - - -912,143 -39.7	Massachusetts	380,759	15.4	19,920	0.8	-	-	0	0.0
Mississippi [9] - - 1,000 0.2 - - 0 0.0 Missouri [10] - - 25 0.0 - - -1,939,256 -280.7 Montana 10,873 3.0 334 0.1 - - 0 0.0 Nebraska [11] 65,909 9.1 416 0.1 - - 0 0.0 Nevada 22,676 2.1 27,866 2.6 - - 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - - 0 0.0 - - 0 0.0 New York 406,776 17.7 87,046 3.8 - - -912,143 -39.7	Michigan	156,839	5.5	1,492	0.1	-		-1	0.0
Missouri [10] - - 25 0.0 - - -1,939,256 -280.7 Montana 10,873 3.0 334 0.1 - - 0 0.0 Nebraska [11] 65,909 9.1 416 0.1 - - 0 0.0 Nevada 22,676 2.1 27,866 2.6 - - 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - - 0 0.0 - - 0 0.0 New York 406,776 17.7 87,046 3.8 - - -912,143 -39.7	Minnesota	233,861	14.9	221	0.0		-	0	0.0
Montana 10,873 3.0 334 0.1 0 0.0 Nebraska [11] 65,909 9.1 416 0.1 0 0.0 Nevada 22,676 2.1 27,866 2.6 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - 0 0.0 - - 0 0.0 New York 406,776 17.7 87,046 3.8 - - -912,143 -39.7	Mississippi [9]			1,000	0.2	-		0	0.0
Nebraska [11] 65,909 9.1 416 0.1 - - 0 0.0 Nevada 22,676 2.1 27,866 2.6 - - 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - - - 0 0.0 0.0 New York 406,776 17.7 87,046 3.8 - - -912,143 -39.7	Missouri [10]	-		25	0.0	-	-	-1,939,256	-280.7
Nevada 22,676 2.1 27,866 2.6 - - 0 0.0 New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - - - 0 0.0 New York 406,776 17.7 87,046 3.8 - - -912,143 -39.7	Montana	10,873	3.0	334	0.1			0	0.0
New Hampshire [12] 5,582 0.7 0 0.0 - - 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - - - 0 0.0 New York 406,776 17.7 87,046 3.8 - - -912,143 -39.7	Nebraska [11]	65,909	9.1	416	0.1	-	-	0	0.0
[12] 5,582 0.7 0 0.0 0 0.0 New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] 1,676 0.3 0 0.0 New York 406,776 17.7 87,046 3.8 912,143 -39.7		22,676	2.1	27,866	2.6	-		0	0.0
New Jersey 293,851 9.9 28,687 1.0 1,758,757 59.4 0 0.0 New Mexico [13] - - 1,676 0.3 - - 0 0.0 New York 406,776 17.7 87,046 3.8 - - -912,143 -39.7	•	5,582	0.7	0	0.0	-	-	0	0.0
[13] 1,676 0.3 0 0.0 New York 406,776 17.7 87,046 3.8 912,143 -39.7		293,851	9.9	28,687	1.0	1,758,757	59.4	0	0.0
New York 406,776 17.7 87,046 3.8912,143 -39.7		-	-	1,676	0.3	-	-	0	0.0
		406,776	17.7	87,046	3.8	-		-912,143	-39.7
, ,	North Carolina	1,953,012	37.8	161,049	3.1	-	_	0	0.0



				Registratio	on Category			
State	Duplicate		Invalid or	Invalid or Rejected		ner	Not Cate	egorized
	Total	%	Total	%	Total	%	Total	%
North Dakota [14]	-	-	-	-	-	-	-	-
Northern Mariana Islands			17	1.3		-	-50	-3.9
Ohio	424,893	14.2	161,123	5.4	-		0	0.0
Oklahoma	1,257	0.2	16,232	2.4	-	-	0	0.0
Oregon [15]	1,146	0.1	-		-		0	0.0
Pennsylvania	354,136	9.3	314,328	8.2	51,858	1.4	0	0.0
Puerto Rico	208	0.2	-				0	0.0
Rhode Island	-	-	28	0.0	-	-	0	0.0
South Carolina [16]							0	0.0
South Dakota	160	0.1	18	0.0	154	0.1	-47	0.0
Tennessee	294,536	18.5	84,566	5.3	-	-	0	0.0
Texas			68,937	1.3		-	0	0.0
U.S. Virgin Islands [17]							0	0.0
Utah	962	0.0	303,760	13.3	-	-	0	0.0
Vermont	5,037	5.1	2,119	2.1	-	-	0	0.0
Virginia	1,413,248	36.4	63,627	1.6	-	-	0	0.0
Washington [18]	430,440	14.0	866	0.0	6,246	0.2	0	0.0
West Virginia [19]	11,420	2.2	286	0.1		-	0	0.0
Wisconsin [20]	10,709	1.2			78,451	8.5	0	0.0
Wyoming [21]	-	-	167	0.2	-	-	0	0.0
U.S. Total	8,827,089	9.7	2,840,590	2.9	6,211,414	14.7	-3,365,414	-3.2

Voter Registration Table 3 Calculation Notes:

Total Registration Applications Received uses question A3a.

New Valid Registrations, Total uses question A3b.

New Valid Registrations, % uses question A3b divided by A3a.

Change of Name, Party, or Address (within jurisdiction), Total uses question A3f.

Change of Name, Party, or Address (within jurisdiction), % uses question A3f divided by question A3a.

Change of Address (cross-jurisdiction), Total uses question A3g.

Change of Address (cross-jurisdiction), % uses question A3g divided by question A3a.

Preregistrations (under 18 years of age), Total uses question A3c.

Preregistrations (under 18 years of age), % uses question A3c divided by question A3a.

Duplicate Registrations, Total uses question A3d.

Duplicate Registrations, % uses question A3d divided by question A3a.

Invalid or Rejected Registrations, Total uses question A3e.

Invalid or Rejected Registrations, % uses question A3e divided by question A3a.

Other Registrations, Total uses the sum of questions A3h, A3i, and A3j.

Other Registrations, % uses the sum of questions A3h, A3i, and A3j, all divided by question A3a. Not Categorized Registrations, Total uses question A3a minus the sum of questions A3b to A3j. Not Categorized Registrations, % uses question A3a minus the sum of questions A3b to A3j, all divided by question A3a.

Voter Registration Table 3 Data Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from those states that provided data
 for the numerator and denominator of the calculation.
- Questions A3h, A3i, and A3j were not mandatory. States and jurisdictions only reported data in these items if there was another registration category aside from those listed in questions A3b-A3g or if there were registration applications that could not be categorized in questions A3b-A3g.
- Negative numbers in the Not Categorized registration category indicate that the sum of registrations received for each category account for more than the total number of registrations reported received by the state.
- Because each percentage was calculated independently, the percentage of applications in each category may not sum to 100% for some states or at the national level.
- Not all states track data to be able to provide responses for each registration category.
- [1] Alabama noted in a survey comment that "Totals are from ES&S [Election Systems & Software] election survey. A3c: we do not have pre-registration. A3f: due to the way we track data for changes to records, the number of changes resulting directly from registration forms could not be separated from the total number of changes made to voter's records."
- [2] Colorado noted in a survey comment that "[T]he increase in registrations is attributable to multiple factors. Colorado has seen a significant increase in population since 2016. The state conducted three elections in 2020, including the first presidential primary in 20 years. In addition, record turnout for the November 2020 general election contributed to the increased number of registrations. Another factor adding to the increase is the implementation of automatic voter registration in May 2020 in partnership with the Colorado Department of Revenue (CDOR). Automatic update to voter registration through CDOR was also implemented in 2019. This may also contribute to a somewhat inflated number as the addition of a ZIP+4 is counted as an update. Finally, with changes in personnel and as different perspectives are applied to data, queries tend to shift in an effort to obtain more accurate and inclusive data for reporting purposes."
- [3] Connecticut noted in a survey comment that the data necessary to respond to question A3 "is not retained in the system."
- [4] The District of Columbia noted in a survey comment that "A3b and A3c ([preregistrations] under 18, who turned 18) are total new registrations."
- [5] Idaho noted in survey comments for multiple counties that the state switched to a new voter registration system between the 2018 and the 2020 elections, which made it difficult to track some data for these questions.
- [6] lowa noted in a survey comment that "[A]II other sources category is due to limitation on system to report transaction source of update if it is not a change from previous listed source."
- [7] Louisiana noted in a survey comment that "[A]ddress changes across jurisdictions are counted as new registrations. 16- and 17-year-old citizens can apply to register to vote, but cannot vote until they are 18."
- [8] Maryland noted in a survey comment that "[T]he total of A3a is the sum of A3b, A3[c], A3d, and A3e. Maryland does not consider the registration changes listed in A3f and A3g as registrations, and therefore,



the source of these changes is not recorded. For A3c, individuals can register to vote starting at age 16, however they are not considered 'pre-registered.' 16- and 17-year-olds are considered registered voters, they just cannot vote until their 18th birthday."

- [9] Mississippi noted in survey comments that duplicate and rejected registrations are not tracked.
- [10] Missouri noted in a survey comment that "[C]hanges of names and address report as separate transactions. In addition to that anytime the LEA [local election administrator] does an address library cleanup process or any change to the voting record it will record as an address change but may not be indicated by the voter. Therefore, we are not including the registration forms for change of name and address is [sic] the total for this section."
- [11] Nebraska noted in a survey comment that "Nebraska law does not allow for pre-registrations for people not of voting age."
- [12] New Hampshire noted in survey comments that "NH uses voter registration forms for name, party, and address changes."
- [13] New Mexico noted that the data for these items are not consistently captured across counties at this time. The Secretary of State's office is exploring options to capture and include this information in future reports.
- [14] North Dakota does not have voter registration and does not provide data in Section A of the EAVS.
- [15] In Oregon, the number of cross-jurisdiction address changes is included in the number of overall changes to registrations. The state does not track the number of invalid/rejected registrations.
- [16] South Carolina noted in survey comments that for the state's A3d and A3e responses, "SC has no process to collect data on duplicate registrations or rejected registrations."
- [17] The U.S. Virgin Islands noted in survey comments that "A3c: the data was not tracked. A3d: before any individual is registered to vote, the individual['s] information is checked in the system to ensure the individual was not previously registered. A3e: a voter will not be registered to vote unless the individual provides the required information (birth paper, U.S. passport, etc.). Before the process begins, the prospective voter is informed what document and information is required to begin the process."
- [18] Washington noted in survey comments that the data reported in this question covered the period "between 2018-10-08 and 2020-11-03."
- [19] West Virginia noted in survey comments that "[D]uplicate registrations are based on DMV and online registrations."
- [20] Wisconsin is exempt from the NVRA and does not classify inactive voters per NVRA definitions.
- [21] Wyoming noted in survey comments that "[M]ultiple changes may have occurred on the same form. A3a includes a total, but the total could be less. For example, a voter could have submitted one form to change their party and address. The data currently reflects that change as 2 forms. A3g. Counties do not receive forms for out-of-county address changes. Those numbers are reflected in new jurisdictions as new registrations."

Voter Registration Table 4: Voter List Maintenance – Confirmation Notices

				F	Result of Confirn	nation Not	ice	
	Confirmation Sent		Recei	ved Confir	mation From Vo	ter	Confirma	
State	Jene		Valid	i	Invalid	1	Returne Undelive	
	Total	% Active Voters	Total	%	Total	%	Total	%
Alabama [1]	-		1,826		25,755		3	
Alaska	91,667	15.4	1,108	1.2		-	30,692	33.5
American Samoa	4,741	29.0	4,741	100.0	0	0.0	0	0.0
Arizona	2,480,620	58.0	75,275	3.0	422,319	17.0	328,161	13.2
Arkansas	432,798	30.7	89,906	20.8	33,312	7.7	45,003	10.4
California [2]	6,682,336	30.7	609,638	9.1	557,041	8.3	477,436	7.1
Colorado	705,625	18.6	13,885	2.0	14,104	2.0	-	
Connecticut	178,993	7.7	55,787	31.2	92,022	51.4	25,292	14.1
Delaware [3]	89,271	12.6				-	-	
District of Columbia [4]	571,363	110.3	26,306	4.6	15,582	2.7	72,114	12.6
Florida	1,295,491	8.9	121,655	9.4	142,275	11.0	219,736	17.0
Georgia	1,060,235	14.7	72,979	6.9	4,018	0.4	186,456	17.6
Guam	5,874	10.5					1,153	19.6
Hawaii [5]	101,013	13.3	14,576	14.4	4,271	4.2	-	-
Idaho	36,438	3.5	2,912	8.0			315	0.9
Illinois	5,106,813	56.1	333,135	6.5	181,526	3.6	457,373	9.0
Indiana [6]								
lowa [7]	123,320	5.9						
Kansas	227,808	12.9	9,203	4.0	43,892	19.3	16,588	7.3
Kentucky [8]	366,101	11.0				-	-	-
Louisiana [9]	325,975	11.0						
Maine [10]	2,147	0.2	0	0.0	733	34.1		-
Maryland [11]	238,027	5.7	3,587	1.5	436	0.2		
Massachusetts [12]	608,691	13.8					-	
Michigan	207,229	2.9	1,143	0.6	27,214	13.1	20,030	9.7
Minnesota [13]	-	-	-		-	-	-	
Mississippi	82,826	4.2						
Missouri [14]	381,716	9.6	149,017	39.0	39,299	10.3	78,034	20.4
Montana	107,111	15.8	8,491	7.9	2,344	2.2	26,537	24.8
Nebraska	160,117	13.7	27,030	16.9	24,931	15.6	21,046	13.1
Nevada [15]	361,871	19.7	158,854	43.9	26,222	7.2	153,156	42.3
New Hampshire [16]	15,180	1.4	112	0.7	-	-	4,834	31.8
New Jersey [17]	311,385	5.3					-	
New Mexico [18]	136,426	10.9	0	0.0	3	0.0	9,348	6.9



				F	Result of Confirm	nation Not	ice	
	Confirmation Sent		Receiv	ed Confi	mation From Vo	ter	Confirma	
State	Jent		Valid		Invalid	ı	Returne Undelive	
	Total	% Active Voters	Total	%	Total	%	Total	%
New York	159,462	1.3	23,345	14.6	31,315	19.6	19,065	12.0
North Carolina	873,911	13.2			-		263,271	30.1
North Dakota [19]								
Northern Mariana Islands	4,907	26.5			-		50	1.0
Ohio	712,068	8.8	109,453	15.4	34,224	4.8	48,535	6.8
Oklahoma	181,034	9.0	18,688	10.3	2,954	1.6	27,775	15.3
Oregon	329,443	11.2			-			
Pennsylvania	753,942	9.1	74,955	9.9	41,087	5.4	111,594	14.8
Puerto Rico [20]					-			
Rhode Island	83,980	11.4			-	-	-	
South Carolina	75,796	2.1	17,001	22.4	487	0.6	1,829	2.4
South Dakota	17,795	3.1	216	1.2	179	1.0	12,298	69.1
Tennessee	137,130	3.2	19,496	14.2	1,724	1.3	23,078	16.8
Texas	1,068,037	7.0	758,850	71.1	111,387	10.4	-	
U.S. Virgin Islands [21]						-		-
Utah	20,225	1.2	42	0.2	2,306	11.4	17,877	88.4
Vermont	66,126	15.0	21,774	32.9	44,352	67.1	0	0.0
Virginia [22]	189,162	3.3	11,379	6.0	-	-	4,981	2.6
Washington	481,684	9.8	150,796	31.3	44,754	9.3	6,407	1.3
West Virginia [23]	10,291	1.0	68	0.7	227	2.2	434	4.2
Wisconsin [24]	345,893	9.0	21,241	6.1		-	93,419	27.0
Wyoming [25]	-	-	-	-	-	-	-	-
U.S. Total	28,010,094	14.3	3,008,470	12.1	1,972,295	8.1	2,803,920	11.9

			Result of Confi	rmation Notice		
State	Status U	nknown	Oti	ner	Not Cate	egorized
	Total	%	Total	%	Total	%
Alabama [1]	-					-
Alaska	59,867	65.3			0	0.0
American Samoa	0	0.0			0	0.0
Arizona	1,650,963	66.6	3,902	0.2	0	0.0
Arkansas	264,968	61.2	3,276	0.8	-3,667	-0.8
California [2]	4,508,305	67.5	510,244	7.6	19,672	0.3
Colorado	677,636	96.0	-		0	0.0
Connecticut	5,911	3.3	-	-	-19	0.0
Delaware [3]	-	_	-	_	89,271	100.0
District of Columbia [4]	457,361	80.0		-	0	0.0
Florida	590,070	45.5	7,030	0.5	214,725	16.6
Georgia	796,782	75.2		-	0	0.0
Guam	4,721	80.4			0	0.0
Hawaii [5]			42,370	41.9	39,796	39.4
ldaho	33,211	91.1			0	0.0
Illinois	4,134,779	81.0			0	0.0
Indiana [6]	-		-		-	
lowa [7]	65,857	53.4			57,463	46.6
Kansas	7,715	3.4	-		150,410	66.0
Kentucky [8]	-	-	-	-	366,101	100.0
Louisiana [9]	-		-	-	325,975	100.0
Maine [10]	1,414	65.9	-	-	0	0.0
Maryland [11]	234,004	98.3	-	-	0	0.0
Massachusetts [12]	-		-	-	608,691	100.0
Michigan	158,842	76.7			0	0.0
Minnesota [13]	-					-
Mississippi	82,826	100.0	-		0	0.0
Missouri [14]	-	-	-	-	115,366	30.2
Montana	69,633	65.0	106	0.1	0	0.0
Nebraska	87,110	54.4	-	-	0	0.0
Nevada [15]	23,639	6.5		-	0	0.0
New Hampshire [16]	10,234	67.4	-		0	0.0
New Jersey [17]	311,385	100.0			0	0.0
New Mexico [18]	127,075	93.1	-	-	0	0.0
New York	83,889	52.6	-		1,848	1.2



	Result of Confirmation Notice										
State	Status U	Inknown	Oti	her	Not Cate	Not Categorized					
	Total	%	Total	%	Total	%					
North Carolina	563,120	64.4	47,520	5.4	0	0.0					
North Dakota [19]	-	-	-	-	-						
Northern Mariana Islands	-	-	-	-	4,857	99.0					
Ohio	519,856	73.0		-	0	0.0					
Oklahoma	131,617	72.7			0	0.0					
Oregon	-	-	329,443	100.0	0	0.0					
Pennsylvania	206,085	27.3	320,221	42.5	0	0.0					
Puerto Rico [20]	-	-			-						
Rhode Island	-	-			83,980	100.0					
South Carolina	52,132	68.8	4,347	5.7	0	0.0					
South Dakota	5,102	28.7			0	0.0					
Tennessee	92,832	67.7			0	0.0					
Texas	197,800	18.5			0	0.0					
U.S. Virgin Islands [21]											
Utah	-	-			0	0.0					
Vermont	0	0.0			0	0.0					
Virginia [22]	172,802	91.4			0	0.0					
Washington	279,727	58.1	-	-	0	0.0					
West Virginia [23]	9,408	91.4	154	1.5	0	0.0					
Wisconsin [24]	231,233	66.9	-		0	0.0					
Wyoming [25]	-	-	-	-	-	-					
U.S. Total	16,909,911	65.8	1,268,613	9.7	2,074,469	7.4					

Voter Registration Table 4 Calculation Notes:

Confirmation Notices Sent, Total uses question A8a.

Confirmation Notices Sent as % of Active Voters uses question A8a divided by question A1b.

Confirmation Notices Received - Valid, Total uses question A8b.

Confirmation Notices Received - Valid, % uses question A8b divided by question A8a.

Confirmation Notices Received - Invalid, Total uses question A8c.

Confirmation Notices Received - Invalid, % uses question A8c divided by question A8a.

Confirmation Notice Returned Undeliverable, Total uses question A8d.

Confirmation Notice Returned Undeliverable, % uses question A8d divided by question A8a.

Status Unknown, Total uses question A8e.

Status Unknown, % uses question A8e divided by question A8a.

Other Confirmation Notices, Total uses the sum of questions A8f, A8g, and A8h.

Other Confirmation Notices, % uses the sum of questions A8f, A8g, and A8h, all divided by question A8a.

Not Categorized Confirmation Notices, Total uses question A8a minus the sum of questions A8b to A8h.

Not Categorized Confirmation Notices, % uses question A8a minus the sum of questions A8b to A8h, all divided by question A8a.

Voter Registration Table 4 Data Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from those states that provided data
 for the numerator and denominator of the calculation.
- Questions A8f, A8g, and A8h were not mandatory. States and jurisdictions only reported data in these items if there was another confirmation notice status aside from those listed in questions A8b-A8e or if there were registration applications that could not be categorized in questions A8b-A8e.
- Negative numbers in the Not Categorized confirmation notices category indicate that the sum of confirmation notices for each category account for more than the total number of confirmation notices reported by the state.
- Because each percentage was calculated independently, the percentage of confirmation notices in each category may not sum to 100% for some states or at the national level.
- Not all states track data to be able to provide responses for each confirmation notice category.
- States that are exempt from the NVRA are not required to send confirmation notices pursuant to
 the NVRA, although they may send confirmation notices (or other similar notices) pursuant to
 state law or practice. States that do not use confirmation notices typically use other sources of
 data to identify potentially ineligible voters.
- [1] Alabama noted in a survey comment that "[W]e do not have a report that has the total number of confirmation notices sent." Because Alabama does not report the total number of confirmation notices sent, the number of 'Not Categorized' confirmation notices cannot be calculated. For the same reason, their responses were not included when calculating the total 'Not Categorized' confirmation notices at the national level.
- [2] California has increased list maintenance training statewide to all county elections officials, including training regarding when to send confirmation notices per the NVRA and updated California state law.
- [3] Delaware noted in a survey comment that "In 2019, the state of DE changed voter registration vendors-from an in-house mainframe system to a cloud based provider. The data request is unavailable due to the differences in the 2 systems. The information requested was not tracked and/or converted to the new system."
- [4] The District of Columbia notes that the data reported in EAVS under A8a (Confirmation Notices Sent) do not comprise list maintenance activities. This has caused confusion when receiving a Freedom of Information Act (FOIA) request for D2 notices, and this number does not match the figure in A8a.
- [5] Hawaii noted in survey comments that three of its four counties that submit EAVS data do not "have counts of confirmed, invalidated, undeliverable, or unknown."
- [6] Indiana noted in a survey comment that "Indiana's understanding is this aligns with voter list maintenance activities. Indiana does not send the removal notices referenced by the EAC survey, Indiana provided the number of voter records cancelled due to being in inactive status for more than 2 federal general elections for question A9e."
- [7] lowa noted in a survey comment that the state's "system does not track follow up status information."
- [8] Kentucky noted in a survey comment that "[O]ur system tracks all undeliverable mail to qualify for the 8(d)2 notifications. Two separate batches have been sent during this time period. We have not yet finished scanning and categorizing the returns. Therefore, the only data available is the number sent."



- [9] Louisiana noted in a survey comment that "[C]onfirmation notices are sent pursuant to 52 USC §20507(d)(2). The Department of State only collects the total number of sent confirmation notices."
- [10] Maine noted in a survey comment that "A8d: see A8e, voters made inactive if CACC [Change of Address Confirmation Card] undeliverable."
- [11] Maryland noted in a survey comment that "A8d data is included in A8e."
- [12] Massachusetts noted in a survey comment that the state "cannot provide data on result of [confirmation] notices."
- [13] Minnesota is NVRA exempt and responded "Does not apply" to all items regarding confirmation notices (A8).
- [14] Missouri noted in a survey comment that "A8a does not total [because] we do not track all information requested."
- [15] Nevada reported in survey comments that two of its counties did not track confirmation notices.
- [16] New Hampshire noted in a survey comment that "NH does not send confirmation notices, but does send 30-day letters."
- [17] New Jersey does not track confirmation notices returned by the voter or returned undeliverable.
- [18] New Mexico noted that the data for these items are not consistently captured across counties at this time. The Secretary of State's office is exploring options to capture and include this information on future reports.
- [19] North Dakota does not have voter registration and does not provide data in Section A of the EAVS.
- [20] Puerto Rico is NVRA exempt and responded "Does not apply" to all items regarding confirmation notices (A8).
- [21] The U.S. Virgin Islands are NVRA exempt and responded "Data not available" to all items regarding confirmation notices (A8).
- [22] Virginia does not currently track returned confirmation notices.
- [23] West Virginia reported in a survey comment that "[S]ome counties tracked undeliverables as 'no response,' so they are included in status unknown totals."
- [24] Wisconsin is exempt from NVRA; however, the state sent notices to voters who have not voted in a four-year period, as well as Electronic Registration Information Center (ERIC) mover mailings. Notices are sent to voters who register to vote or whose voter information may be out of date.
- [25] Wyoming is NVRA exempt and responded "Does not apply" to all items regarding confirmation notices (A8).

Voter Registration Table 5: Voter List Maintenance – Removal Actions

	Voters Rer	noved			Re	eason fo	r Removal			
State	Total	% of Reg.	Moved O		Death		Failure to F Confirma Notice	tion	Voter's Re	quest
		Voters	Total	%	Total	%	Total	%	Total	%
Alabama	136,557	3.7	9,069	6.6	94,396	69.1	266	0.2	230	0.2
Alaska	53,132	8.2	3,691	6.9	8,485	16.0	30,358	57.1	8,729	16.4
American Samoa	2,124	13.0	0	0.0	336	15.8	1,788	84.2	0	0.0
Arizona	350,841	7.4	82,095	23.4	71,706	20.4	121,011	34.5	28,516	8.1
Arkansas	175,336	9.6	12,448	7.1	37,185	21.2	116,787	66.6	560	0.3
California [1]	1,635,987	6.3	496,397	30.3	355,332	21.7	351,301	21.5	60,293	3.7
Colorado	416,819	9.9	104,155	25.0	62,005	14.9	210,941	50.6	32,908	7.9
Connecticut	53,652	2.1	19,812	36.9	18,986	35.4	3,443	6.4	10,438	19.5
Delaware	39,772	5.4	8,254	20.8	6,210	15.6	24,900	62.6	108	0.3
District of Columbia	67,400	10.8	25,864	38.4	7,979	11.8	33,124	49.1	-	-
Florida	1,009,246	6.6	210,587	20.9	334,033	33.1	320,706	31.8	124,558	12.3
Georgia [2]	505,728	6.6	6,700	1.3	137,645	27.2	257,010	50.8	3,100	0.6
Guam	9,722	17.4	44	0.5	717	7.4	8,961	92.2		_
Hawaii	47,670	5.7	4,309	9.0	15,152	31.8	23,620	49.5	4,516	9.5
Idaho	24,639	2.4	739	3.0	431	1.7	9,082	36.9	0	0.0
Illinois	643,336	6.6	305,984	47.6	161,055	25.0	171,920	26.7	-	
Indiana [3]	1,023,732	21.8	8,716	0.9	4	0.0	94,837	9.3		_
Iowa	126,968	5.7	22,424	17.7	52,262	41.2	48,771	38.4	817	0.6
Kansas	134,771	7.0	18,601	13.8	40,484	30.0	65,020	48.2	588	0.4
Kentucky	100,181	2.8	7,534	7.5	77,442	77.3	0	0.0	874	0.9
Louisiana [4]	296,761	9.6	125,794	42.4	72,493	24.4	44,947	15.1	12,479	4.2
Maine	153,846	13.5	122,310	79.5	23,713	15.4	1,942	1.3	709	0.5
Maryland	260,666	6.1	58,583	22.5	73,564	28.2	122,649	47.1	863	0.3
Massachusetts	804,445	16.7	523,079	65.0	89,088	11.1	131,641	16.4	9,136	1.1
Michigan [5]	239,780	3.0	46,047	19.2	187,608	78.2	0	0.0	6,125	2.6
Minnesota [6]	206,475	5.5	72,296	35.0	61,389	29.7	72,090	34.9		
Mississippi	89,640	4.2	17,485	19.5	50,463	56.3	18,500	20.6	1,109	1.2
Missouri	411,661	9.5	119,044	28.9	119,144	28.9	150,562	36.6	2,369	0.6
Montana [7]	73,718	9.9	8,231	11.2	14,758	20.0	38,110	51.7	3,000	4.1
Nebraska	94,352	7.4	18,252	19.3	27,308	28.9	20,697	21.9	23,706	25.1
Nevada	157,592	7.7	41,145	26.1	27,699	17.6	65,045	41.3	22,303	14.2
New Hampshire	140,979	13.0	129,428	91.8	6,255	4.4				-
New Jersey	264,136	4.2	58,588	22.2	114,301	43.3	84,871	32.1	474	0.2
New Mexico	79,636	5.9	4,268	5.4	27,582	34.6	31,919	40.1	10,897	13.7
New York	580,170	4.3	248,905	42.9	158,216	27.3	100,411	17.3	10,439	1.8



	Voters Ren	noved			Re	eason fo	r Removal			
State	Total		Moved Ou Jurisdict		Death		Failure to R Confirma Notice	tion		
			Total	%	Total	%	Total	%	Total	%
North Carolina	1,283,363	17.4	506,445	39.5	130,915	10.2	589,764	46.0	3,692	0.3
North Dakota [8]	-	-	-	-		-	-	-		-
Northern Mariana Islands	5,049	27.3	-	-	108	2.1	4,907	97.2	-	-
Ohio	984,190	12.2	267,042	27.1	170,651	17.3	441,576	44.9	94,541	9.6
Oklahoma	234,034	10.4	91,344	39.0	43,757	18.7	88,285	37.7	959	0.4
Oregon [9]	106,692	3.6	20,197	18.9	58,802	55.1	9,766	9.2	17,457	16.4
Pennsylvania [10]	883,947	9.8	416,884	47.2	196,386	22.2	263,009	29.8	6,376	0.7
Puerto Rico	761,087	32.3	266	0.0	136,822	18.0	623,275	81.9	0	0.0
Rhode Island	49,304	6.1	9,927	20.1	12,366	25.1	21,369	43.3	1,434	2.9
South Carolina [11]	140,077	3.6	33,796	24.1	81,939	58.5	14,749	10.5	570	0.4
South Dakota	24,151	3.8	1,105	4.6	9,994	41.4	10,854	44.9	567	2.3
Tennessee	508,768	11.5	194,624	38.3	83,756	16.5	218,348	42.9	3,499	0.7
Texas	1,751,446	10.3	144,214	8.2	272,826	15.6	505,668	28.9	11,010	0.6
U.S. Virgin Islands [12]	1,931	3.6	275	14.2	1,614	83.6	_	-	42	2.2
Utah	67,468	3.6	12,488	18.5	20,810	30.8	33,956	50.3	185	0.3
Vermont	44,352	9.1	0	0.0	9,605	21.7	18,876	42.6	5,286	11.9
Virginia	879,921	14.7	569,837	64.8	93,716	10.7	188,774	21.5	13,886	1.6
Washington	305,845	5.8	84,754	27.7	61,104	20.0	4,192	1.4	41,969	13.7
West Virginia	94,032	7.4	9,767	10.4	27,536	29.3	53,729	57.1	333	0.4
Wisconsin [13]	198,061	5.2	37,490	18.9	68,968	34.8	75,624	38.2	676	0.3
Wyoming	45,866	15.1	1,176	2.6	3,495	7.6	40,973	89.3	26	0.1
U.S. Total	18,781,054	8.2	5,342,509	28.5	4,020,596	21.4	5,984,924	32.1	582,352	3.5

				Reaso	n for Removal			
State	Felony or C	Conviction	Mental Inc	ompetence	Oth	er	Not Cat	tegorized
	Total	%	Total	%	Total	%	Total	%
Alabama	5,573	4.1	127	0.1	26,896	19.7	0	0.0
Alaska	1,869	3.5	0	0.0	-	-	0	0.0
American Samoa	0	0.0	0	0.0		-	0	0.0
Arizona	13,476	3.8	418	0.1	33,619	9.6	0	0.0
Arkansas	4,317	2.5	57	0.0	4,419	2.5	-437	-0.2
California [1]	19,069	1.2	672	0.0	352,014	21.5	909	0.1
Colorado	5,183	1.2	-		1,627	0.4	0	0.0
Connecticut	973	1.8	-		-	-	0	0.0
Delaware	300	0.8	-			-	0	0.0
District of Columbia	433	0.6	-			-	0	0.0
Florida	15,903	1.6	1,993	0.2	2,756	0.3	-1,290	-0.1
Georgia [2]	54,730	10.8	312	0.1	46,231	9.1	0	0.0
Guam			-			-	0	0.0
Hawaii	73	0.2	0	0.0		-	0	0.0
ldaho	21	0.1	0	0.0	6,016	24.4	8,350	33.9
Illinois	4,377	0.7	-	-	-	-	0	0.0
Indiana [3]	1	0.0	-	-	5,318	0.5	914,856	89.4
lowa	2,645	2.1	49	0.0	-	-	0	0.0
Kansas	3,377	2.5	20	0.0	7,351	5.5	-670	-0.5
Kentucky	13,358	13.3	973	1.0	-	-	0	0.0
Louisiana [4]	14,817	5.0	115	0.0	26,116	8.8	0	0.0
Maine			-		5,172	3.4	0	0.0
Maryland	3,910	1.5	44	0.0	1,053	0.4	0	0.0
Massachusetts	747	0.1	-		50,754	6.3	0	0.0
Michigan [5]			-			-	0	0.0
Minnesota [6]		-	-		700	0.3	0	0.0
Mississippi	1,240	1.4	33	0.0	810	0.9	0	0.0
Missouri	12,371	3.0	1,566	0.4	6,605	1.6	0	0.0
Montana [7]	69	0.1	4	0.0	9,546	12.9	0	0.0
Nebraska	3,395	3.6	0	0.0	994	1.1	0	0.0
Nevada	1,337	0.8	63	0.0		-	0	0.0
New Hampshire	26	0.0	-		5,270	3.7	0	0.0
New Jersey	5,902	2.2	0	0.0		-	0	0.0
New Mexico	4,970	6.2	-	-	-	-	0	0.0
New York	4,439	0.8	98	0.0	-	-	57,662	9.9
North Carolina	16,788	1.3	0	0.0	35,759	2.8	0	0.0



		Reason for Removal										
State	Felony or C	Conviction	Mental Incompetence		Oth	er	Not Ca	tegorized				
	Total	%	Total	%	Total	%	Total	%				
North Dakota [8]	-			-		-	-					
Northern Mariana Islands	34	0.7			-	-	0	0.0				
Ohio	10,361	1.1	19	0.0	-	-	0	0.0				
Oklahoma	3,335	1.4	150	0.1	6,204	2.7	0	0.0				
Oregon [9]		-			470	0.4	0	0.0				
Pennsylvania [10]	6	0.0	194	0.0	1,092	0.1	0	0.0				
Puerto Rico		-	697	0.1	27	0.0	0	0.0				
Rhode Island	810	1.6	2	0.0	3,396	6.9	0	0.0				
South Carolina [11]	7,078	5.1			1,945	1.4	0	0.0				
South Dakota	1,613	6.7	2	0.0	16	0.1	0	0.0				
Tennessee	7,354	1.4			1,187	0.2	0	0.0				
Texas	4,697	0.3	730	0.0	812,301	46.4	0	0.0				
U.S. Virgin Islands [12]			0	0.0		-	0	0.0				
Utah	29	0.0			-	-	0	0.0				
Vermont		-			10,585	23.9	0	0.0				
Virginia	10,480	1.2	1,020	0.1	2,208	0.3	0	0.0				
Washington	2,767	0.9	170	0.1	110,889	36.3	0	0.0				
West Virginia	1,285	1.4	2	0.0	1,380	1.5	0	0.0				
Wisconsin [13]	3,855	1.9	112	0.1	11,336	5.7	0	0.0				
Wyoming	46	0.1	1	0.0	149	0.3	0	0.0				
U.S. Total	269,439	1.6	9,643	0.1	1,592,211	10.4	979,380	5.2				

Voter Registration Table 5 Calculation Notes:

Voters Removed, Total uses question A9a.

Voters Removed, % Registered Voters uses question A9a divided by question A1a.

Moved Out of Jurisdiction, Total uses question A9b.

Moved Out of Jurisdiction, % uses question A9b divided by question A9a.

Death, Total uses question A9c.

Death, % uses question A9c divided by question A9a.

Failure to Return Confirmation Notice, Total uses question A9e.

Failure to Return Confirmation Notice, % uses question A9e divided by question A9a.

Voter's Request, Total uses question A9g.

Voter's Request, % uses question A9g divided by question A9a.

Felony or Conviction, Total uses question A9d.

Felony or Conviction, % uses question A9d divided by question A9a.

Mental Incompetence, Total uses question A9f.

Mental Incompetence, % uses question A9f divided by question A9a.

Other, Total uses the sum of questions A9h, A9i, and A9j.

Other, % uses the sum of questions A9h, A9i, and A9i, all divided by question A9a.

Not Categorized, Total uses question A9a minus the sum of questions A9b to A9j.

Not Categorized, % uses question A9a minus the sum of questions A9b to A9j, all divided by question A9a.

Voter Registration Table 5 Data Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from those states that provided data
 for the numerator and denominator of the calculation.
- Questions A9h, A9i, and A9g were not mandatory. States and jurisdictions only reported data in these items if there was another reason for registration removals aside from those listed in questions A9b-A9g or if there were registration removals that could not be categorized in questions A9b-A9e.
- Negative numbers in the Not Categorized registration removals category indicate that the sum of registration removals for each category account for more than the total number of registration removals reported received by the state.
- Because each percentage was calculated independently, the percentage of confirmation notices in each category may not sum to 100% for some states or at the national level.
- Not all states track data to be able to provide responses for each registration removal category. In addition, not all states may remove registrations for the listed reason.
- [1] California has increased list maintenance training statewide to all county elections officials, including training regarding removal actions per the NVRA and updated California state law.
- [2] Georgia noted in a survey comment that "A9b represents voters who moved out of the state."
- [3] Indiana noted in a survey comment that "[T]he data reported in A9b–j consists of data from the ad hoc report (A9b–d, A9g–j) and SVRS [statewide voter registration system] (A9e). Indiana provided the number of voter records cancelled due to being in inactive status for more than 2 federal general elections for question A9e. These statistics represent the majority of cancellations for this reason, based on the county user selecting the option to run this process in batch. However, county users have the option to also cancel voters one-by-one for this reason, but those statistics are not included in the counts for question A9e."
- [4] Louisiana noted in a survey comment that "[I]rregularities include voters that were cancelled by the registrar of voters because the registrant provided insufficient or incorrect data, or user processing error. Challenge 21 includes voters who were registered in another state or not a United States citizen, or were otherwise not qualified to be registered for reasons other than change of residence."
- [5] Michigan noted in a survey comment that "A9d: in MI, registered voters cannot cast a ballot while they are incarcerated serving sentence; however, their registration is never cancelled. Felony convictions alone do not disqualify voters from casting a ballot."
- [6] Minnesota noted in a survey comment that "A9d and A9f: voter is not removed but status changes to 'challenged.' A9e: did not vote or update registration in prior four years. A9g: voter request not tracked separately, is included in A9h."
- [7] Montana noted in a survey comment that "A9d: felony cancellations as reported in voter registration database."
- [8] North Dakota does not have voter registration and does not provide data in Section A of the EAVS.
- [9] Oregon reported in a survey comment that "[I]ncarcerated voters are inactivated not removed."
- [10] Pennsylvania reported in a survey comment that "PA won't be reporting declared mentally incompetent in future surveys. The cancellation option is no longer available to county officials."



[11] South Carolina reported in a survey comment that "A9f: it is rare for voters to be removed for this reason and would be included under 'other' (A9h)."

[12] The U.S. Virgin Islands reported in a survey comment that the territory "no longer purges voters who did not vote in the past two general election. A voter can only be removed off the voting roll due to their death, request to be removed or move out of territory, or convicted of a felony. The voter will be reinstated once they serve their sentence. ESVI [Election System of the Virgin Islands] is planning to do more outreach to voters including notifying voters of voting centers, their respective voting centers, voter registration status to name a few."

[13] Wisconsin is exempt from the NVRA and does not classify inactive voters per NVRA definitions. Only active voters are registered and eligible to vote in Wisconsin. Wisconsin's registered voters count for this report includes military voters, even though they are not required to "register" in Wisconsin. Wisconsin requires voters to re-register each time their address changes. For the purposes of this report, voters are only counted as being "removed" from the voter rolls if they did not re-register at a new address. Even voters who move within the same jurisdiction must re-register in Wisconsin; therefore, Wisconsin does not track these voters separately.

Chapter 4. Military and Overseas Voting in 2020: UOCAVA

Key Findings

The Election Administration and Voting Survey (EAVS) Section B collected data from states and municipalities on individuals covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) during the 2020 federal general election. Election officials were asked a variety of questions relating to UOCAVA voting practices, including the total number of registered UOCAVA voters, the use of the Federal Post Card Application (FPCA), the quantity and method of ballots transmitted to and returned by UOCAVA voters, and the use of the Federal Write-In Absentee Ballot (FWAB).¹ Among the results of this section, notable findings include:

- Just over 40% of registered UOCAVA voters held legal voting residence in three states: California, Florida, and Washington.
- Continuing a trend that began with the 2016 EAVS, overseas citizens made up a larger percentage of registered UOCAVA voters than did members of the uniformed services.
- More than 1.2 million ballots were transmitted to UOCAVA voters by election offices. More than 900,000 of these ballots were returned by UOCAVA voters and were submitted for counting.
- UOCAVA voters increasingly used electronic methods to receive and return their absentee ballots, but rates differed by UOCAVA voter type, with more overseas citizens using electronic options than uniformed services members, who continue to rely primarily on postal mail.
- The most common reason for UOCAVA ballot rejection was that the ballot was received after a state's UOCAVA absentee ballot receipt deadline.
- FWAB usage continued to increase in 2020, with more UOCAVA voters using this backup ballot to cast their vote than in previous election cycles.

Introduction

The U.S. Election Assistance Commission (EAC) is required by the Help America Vote Act of 2002 (HAVA) to collect data from states² and to report on absentee voting by uniformed services members and overseas citizens.³ Since 2014, the EAC has fulfilled this reporting mandate in partnership with the Federal Voting Assistance Program (FVAP), the agency designated to administer UOCAVA on

¹ The response rate among local jurisdictions for EAVS Section B was 99.9%; five counties in Arkansas did not provide Section B data. In addition, the response rate for individual items varied. Results reported in this chapter include only states for which data are available for a given question. State and national totals include all available jurisdiction-level data. National-level percentages reported in this chapter used casewise deletion.

² Throughout this report, unless otherwise specified, the term "state" can be understood to apply to the 50 U.S. states, the District of Columbia and five U.S. territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) that submit Election Administration Policy Survey and EAVS data.

³ The Help America Vote Act of 2002 (HAVA), 52 U.S.C. § 20901. The EAC works with FVAP to collect comprehensive data from the states on all of the ballots sent and received by voters covered under UOCAVA (52 U.S.C. § 20301(b)(11)).

behalf of the U.S. Department of Defense (DOD). Through a memorandum of understanding between the EAC and FVAP, Section B of the EAVS is administered on behalf of both agencies. This agreement allows both the EAC and FVAP to fulfill congressionally mandated requirements to study UOCAVA voting while reducing the data collection and reporting burden on state and local election officials. States are required to report certain election data to the EAC after each federal election.⁴

This chapter examines UOCAVA data from the 2020 EAVS, including use of the FPCA by UOCAVA voters, ballots transmitted to UOCAVA voters by states, ballots returned by UOCAVA voters, UOCAVA ballots counted, UOCAVA ballots rejected, and usage of the FWAB by UOCAVA voters. Where appropriate, information about state laws and procedures related to UOCAVA voting, collected as part of the EAC's 2020 Election Administration Policy Survey (Policy Survey), is presented to provide context for the EAVS results.

Federal Laws Regulating Military and Overseas Voting

The Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA)

UOCAVA protects the voting rights of members of the uniformed services who are stationed away from their voting residence, the spouses and other eligible family of uniformed services members, and U.S. citizens residing outside of the United States. It requires all states, territories, and the District of Columbia to allow these citizens to register to vote and to cast an absentee ballot for all federal elections. For the estimated 1.4 million uniformed services members and approximately 600,000 military spouses and voting age dependents stationed away from their legal voting residence as well as the estimated 2.9 million voting age U.S. citizens who live, study, or work overseas, the absentee voting process is different from and can be more challenging than the voting process for non-military voters residing in the United States.

Citizens protected by UOCAVA include:

- Members of the uniformed services (Army, Navy, Marine Corps, Air Force, Coast Guard, United States Public Health Service Commissioned Corps, and National Oceanic and Atmospheric Administration [NOAA] Commissioned Officer Corps) who are stationed away from their legal voting residence:
- Members of the U.S. Merchant Marine;
- Eligible family members of the above; and
- U.S. citizens residing outside the United States.

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⁴ Section 703(a) HAVA amended section 102 of UOCAVA.

⁵ Throughout this report, the term "uniformed services voter" refers to U.S. citizens who are active members of the uniformed services or a spouse or dependent family member thereof. "Overseas citizen" refers to non-military U.S. citizens who reside overseas.

⁶ Information was provided by FVAP to Fors Marsh Group via email on May 10, 2021, and was current as of March 31, 2021.

⁷ Federal Voting Assistance Program, "2018 Overseas Citizen Population Analysis," at https://www.fvap.gov/info/reports-surveys/overseas-citizen-population-analysis. The results of the 2020 Overseas Citizen Population Analysis were not available at the time of this report's publication.

Among the challenges UOCAVA sought to address was the wide variability in rules and procedures governing registration and voting across states, which made it difficult for uniformed services members and overseas citizens to navigate the voting process. UOCAVA established the FPCA, which serves as a combination registration and ballot request application that is accepted in all U.S. states and territories. In addition, the FWAB functions as a backup ballot that can be cast by UOCAVA voters who make a timely request for, but do not receive, a regular absentee ballot. Although states and localities still maintain and administer elections according to their own laws and procedures for registration and absentee voting among uniformed services members and overseas citizens, the provisions of UOCAVA established some uniformity in the absentee voting process for these voters.

The Military and Overseas Voter Empowerment Act of 2009 (MOVE)

Historically, UOCAVA ballots were transmitted from election offices to voters primarily through the mail. Given long mailing times and high mobility rates for this population of voters, this practice meant that many UOCAVA voters were unable to receive and return their absentee ballot before state ballot return deadlines. The MOVE Act amended UOCAVA to establish additional requirements to protect military and overseas citizens' voting rights. ¹⁰ These new rules required that all states and territories provide UOCAVA voters with an option to request and receive registration and absentee ballot request materials electronically, directed states to establish an electronic means of transmitting blank ballots to UOCAVA voters, and required states to provide free access to a system whereby voters can verify the status of their ballot. Additionally, absentee ballots must be transmitted no less than 45 days before a federal election to all UOCAVA voters who submit an absentee ballot request before this deadline. These additional provisions aimed to ensure uniformed services members and overseas citizens not only have the right to vote, but that they have sufficient time to receive and return their absentee ballots ahead of state deadlines.

The UOCAVA Voting Process

Although the specific path may differ depending on the policies and procedures in one's state of voting residence and on a voter's particular situation and preferences, in general, the UOCAVA voting process can be summarized in six basic steps, as illustrated in Figure $1.^{11}$

- 1. Register and request an absentee ballot: UOCAVA-eligible citizens can do this either by completing a state application form or an FPCA, the federal form that functions as both a registration and absentee ballot request and is accepted in all states and U.S. territories.
- 2. <u>Submit the registration and ballot request</u>: Completed applications must be submitted to the appropriate state or local election office by mail or by an electronic means permitted by the

⁸ The United States Department of Justice. (2020, February 18). *The Uniformed and Overseas Citizens Absentee Voting Act.* https://www.justice.gov/crt/uniformed-and-overseas-citizens-absentee-voting-act.

⁹ Section 103 of UOCAVA provides a mechanism for uniformed services members and overseas citizen voters to cast a FWAB (see 52 U.S.C.§ 20303).

¹⁰ Military and Overseas Voter Empowerment (MOVE) Act of 2008 statutory language can be found at https://www.fvap.gov/uploads/FVAP/Policies/moveact.pdf.

¹¹ Adapted from an FVAP infographic. For more detailed information about state policies related to UOCAVA voting, see Chapter 2 of this report.



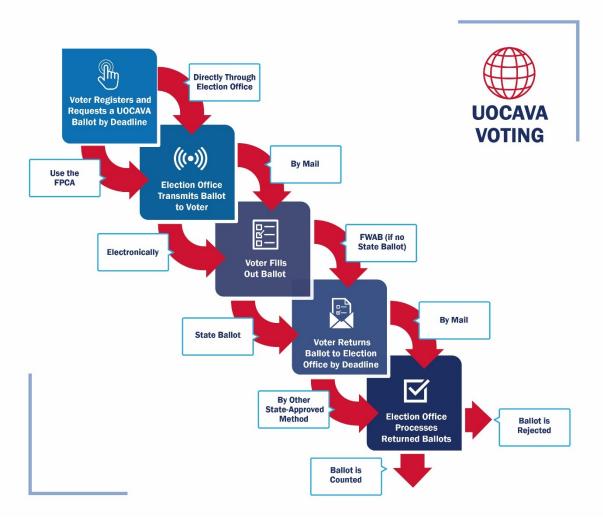


Figure 1. The UOCAVA Voting Process

state. All states accept FPCAs by mail; states may also accept FPCAs via email, fax, the state's online voter registration portal, or by another mode.

- 3. Application processing: Once received, registration and absentee ballot request applications are processed by the election office. If an application fails to meet any state requirements (e.g., the form is not completed correctly, is submitted after the registration deadline, or the applicant is deemed ineligible), then it may be rejected. If an application meets all requirements and is accepted, it remains valid as a registration and ballot request, meaning that the voter will retain UOCAVA status and have an absentee ballot transmitted to them for the duration specified by state policy.
- 4. <u>Ballot transmission</u>: Election officials transmit absentee ballots to registered UOCAVA voters no later than 45 days before a federal election (ballots may be transmitted later if the ballot request is submitted by the state deadline but less than 45 days before an election). Ballots

- may be transmitted to a voter by mail or through some other state-approved electronic means of transmission, as requested by the voter.
- 5. Complete and return absentee ballot: UOCAVA voters complete and return their absentee ballot to the appropriate election office for processing. Ballots may be returned and submitted for processing either by mail or through some other means allowed by a state. The FWAB may be used as a backup ballot by UOCAVA voters who do not receive a regular absentee ballot, or if the ballot does not arrive in time to be completed and returned ahead of state deadlines.
- 6. <u>Ballot processing and counting</u>: Completed absentee ballots that are returned and submitted for counting to an election office must be received by state deadlines and meet other state requirements. State policies on when completed ballots must be postmarked and when they must be returned to an election office in order to be eligible to be counted vary widely.

UOCAVA Registration and Ballot Requests

The 2016 general election was the first time that registered overseas citizens outnumbered registered uniformed services members covered by UOCAVA. This trend continued in 2020, with uniformed services members or eligible family members accounting for 42.3% of registered UOCAVA voters and overseas citizens accounting for 57.4% of this population.¹²

Registered UOCAVA voters' legal voting residences¹³ are disproportionately concentrated in just a few U.S. states. In 2020, the states with the largest numbers of registered UOCAVA voters were Florida (191,628), California (187,213), and Washington (127,976).¹⁴ Together, these three states represented 40.4% of all registered UOCAVA voters reported in the 2020 EAVS. Twenty-two local jurisdictions¹⁵ reported having 10,000 or more registered UOCAVA voters, and seven reported more

¹⁵ What constitutes a jurisdiction for EAVS reporting is defined by how each state chose to provide data. For the 2020 EAVS, most states reported data on the county level (or county equivalent, such as parishes for Louisiana). Illinois, Maryland, Missouri, and Virginia reported data for independent cities in addition to counties. The territories, the District of Columbia, and Alaska each reported as a single jurisdiction. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and Wisconsin reported data on the township level. Maine also reported its UOCAVA data in Section B as a separate jurisdiction, because this information was only collected at the state level. Michigan reported data for the county level, but most election administration activities take place in the 1,520 local election jurisdictions in the state.

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¹² The total number of registered and eligible UOCAVA voters was collected in item B1a of the 2020 EAVS. The number of registered and eligible uniformed services UOCAVA voters was collected in item B1b; the percentage of uniformed services UOCAVA voters was calculated by dividing B1b by B1a. The number of registered and eligible overseas citizen UOCAVA voters was collected in item B1c; the percentage of overseas citizen UOCAVA voters was calculated by dividing B1c by B1a. Casewise deletion at the state level was used in calculating the national percentage. In total, 870 jurisdictions in 10 states did not report data in B1; this count excludes jurisdictions in Maine, which reported UOCAVA data at the state level and not the jurisdiction level. A total of 8,167 registered and eligible voters reported in B1a were not classified as either uniformed services or overseas citizens. These percentages exclude the seven states that did not report the number of registered UOCAVA voters as well as the state and territory that did not subdivide this number by UOCAVA voter type.

13 According to FVAP's guidance for service members, "Your voting residence is within your state of legal residence or domicile. It is the address that you consider your permanent home and where you had a physical presence. Your state of legal residence is used for state income tax purposes, determines eligibility to vote for federal and state elections, and qualification for in-state tuition rates." For more information, see https://www.fvap.gov/military-voter/voting-residence.

14 The total number of registered and eligible UOCAVA voters in a state was calculated by summing B1a across all jurisdictions for each state.

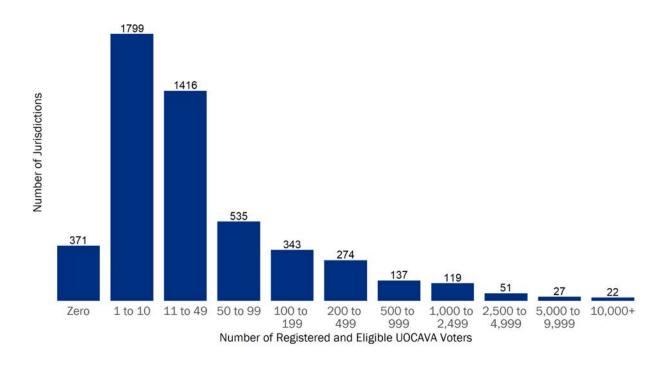
than 15,000 registered and eligible UOCAVA voters. These seven jurisdictions accounted for 15.3% of all registered UOCAVA voters (see Table 1).

Table 1. Seven Jurisdictions Accounted for 15% of All Registered UOCAVA Voters

Jurisdictions With More Than 15,000 UOCAVA Voters								
Jurisdiction	Number of Registered and Eligible UOCAVA Voters in 2020							
Los Angeles County, CA	67,392							
King County, WA	31,766							
Pierce County, WA	27,023							
Miami-Dade County, FL	17,495							
New York County, NY	17,008							
San Diego County, CA	16,074							
Broward County, FL	15,154							

Source: Information on the number of registered and eligible UOCAVA voters was item B1a of the 2020 EAVS. Alaska reported 16,194 total registered UOCAVA voters and reported as a single jurisdiction in the EAVS; however, it was not included in the table because the table focuses on localities rather than complete states.

Figure 2. Most Jurisdictions Had Fewer Than 50 Registered UOCAVA Voters



Source: Information for the number of registered and eligible UOCAVA voters was collected in item B1a of the 2020 EAVS.

Conversely, of the 5,094 local jurisdictions for which the number of registered UOCAVA voters was available, 80.9% reported fewer than 100 registered UOCAVA voters, including 371 jurisdictions that reported having zero UOCAVA voters in 2020. Figure 2 shows the number of registered UOCAVA voters by jurisdiction.

Election offices reported receiving 764,691 FPCAs ahead of the 2020 general election, which was almost double the 420,861 FPCAs that states reported receiving ahead of the 2016 general election. Overall, 30.3% of these registration and absentee ballot requests came from uniformed services members, and 66.9% were submitted by overseas citizens. 16 States reported rejecting 2.7% of the FPCAs received, of which 15.2% were rejected because the election office received the form after their state's absentee ballot request deadline. 17 The FPCA rejection rate among uniformed services members was slightly higher than among overseas citizens, with 3.3% of military FPCAs rejected compared to 2.3% of FPCAs submitted by overseas citizens. 18

UOCAVA Ballots Transmitted

In 2020, election offices in the 50 states, five U.S. territories, and the District of Columbia reported transmitting 1,249,601 ballots to UOCAVA voters. ¹⁹ Figure 3 shows the number of ballots sent out from election offices or transmitted for each state. The states colored in dark blue represent the states that distributed the most ballots to UOCAVA voters. The states colored in light blue are the states that distributed the fewest ballots to UOCAVA voters.

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¹⁶ Data on the total number of FPCAs submitted was collected in item B2a of the 2020 EAVS. In 2016, this data was collected in item B20a. For 2020, the percentage of FPCAs received from uniformed services members was calculated as B2b/B2a. The percentage of FPCAs received from overseas citizen voters was calculated as B2c/B2a. Casewise deletion was used at the state level in calculating these percentages.

¹⁷ The total number of FPCAs rejected was collected in item B3a in the 2020 EAVS; the percentage of FPCAs rejected was calculated as B3a/B2a. The percentage of FPCAs rejected because they were received late was calculated as B4a/B3a. Casewise deletion was used at the state level in calculating these percentages.

¹⁸ The percentage of rejected FPCAs from uniformed services voters was calculated as B3b/B2b. The percentage of rejected FPCAs from overseas citizen voters was calculated as B3c/B2c. Overall, 6.9% of rejected FPCAs were not categorized by UOCAVA voter type. Casewise deletion was used at the state level in calculating these percentages.
¹⁹ The number of transmitted UOCAVA ballots was collected in item B5a of the 2020 EAVS. The number of ballots transmitted to UOCAVA voters was reported by all but 36 jurisdictions. Rhode Island did not report data on the number of ballots transmitted.



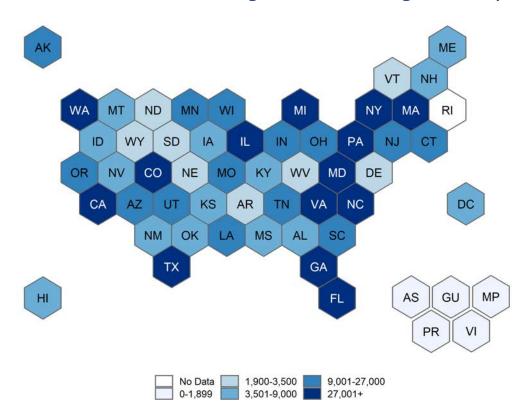


Figure 3. Ballot Transmissions Were the Highest in States With Large UOCAVA Populations

Source: Information on the number of transmitted UOCAVA ballots was collected in item B5a of the 2020 EAVS. State-level data were aggregated from jurisdiction data. Cutoff points in the graph were selected to reflect states that had the lowest and highest number of UOCAVA ballots transmitted and to differentiate among the states in between the lowest and highest UOCAVA ballot transmission numbers.

Of the UOCAVA ballots transmitted, 39.4% were sent to uniformed services members, and 60.1% were transmitted to overseas citizen voters.²⁰ Figure 4 shows that the percentage of ballots transmitted to overseas citizens has continued to rise steadily over the last several election cycles, increasing by 15.4 percentage points since the 2012 general election.

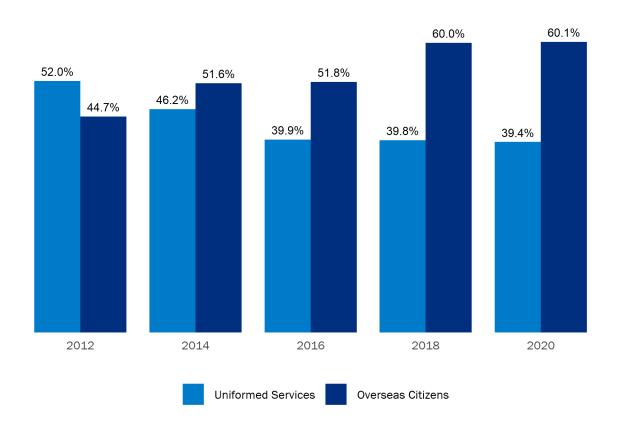
Although the nationwide percentage of ballots sent to overseas citizens was greater than the percentage sent to uniformed services members, the proportion of ballots sent to overseas citizens or uniformed services members varied by state. Kentucky and Louisiana, for example, reported that UOCAVA ballots were split about evenly between uniformed services members and overseas citizen voters; however, the District of Columbia and Massachusetts reported that the vast majority of UOCAVA ballots were transmitted to overseas citizens (97.1% and 94.2%, respectively). In Alaska, American Samoa, New Mexico, the Northern Mariana Islands, and the U.S. Virgin Islands, more than

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²⁰ The percentage of UOCAVA ballots transmitted to uniformed services voters was calculated as B5b/B5a. The percentage of UOCAVA ballots transmitted to overseas citizen voters was calculated as B5c/B5a. Casewise deletion was used at the state level when calculating these percentages. An additional 1% of the transmitted ballots could not be classified by voter type.

three-quarters of UOCAVA ballots were transmitted to uniformed services members. Figure 5 shows the percentage of ballots transmitted to uniformed services voters versus overseas citizen voters.

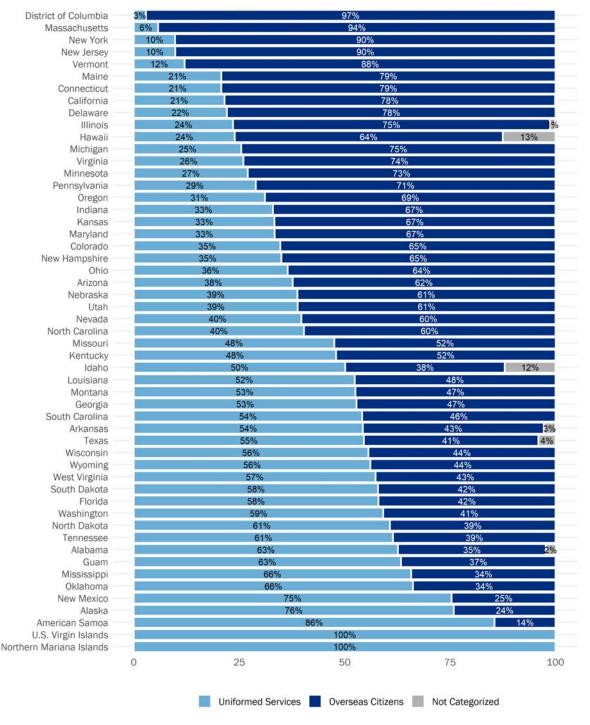
Figure 4. Steady Increase in the Percentage of UOCAVA Ballots Transmitted to Overseas Citizens
Relative to Uniformed Services Members



Source: The percentage of UOCAVA ballots transmitted to uniformed services voters was calculated as $B1b/B1a \times 100$ for the 2012, 2014, and 2016 EAVS and $B5b/B5a \times 100$ for the 2018 and the 2020 EAVS. The percentage of UOCAVA ballots transmitted to overseas citizens was calculated as $B1c/B1a \times 100$ for the 2012, 2014, and 2016 EAVS, and $B5c/B5a \times 100$ for the 2018 and the 2020 EAVS. Casewise deletion was used at the state level in calculating these percentages; percentages may not sum to 100%. Ballots that were not classified as being from either overseas citizens or uniformed services voters were not included in this analysis.



Figure 5. Twenty-Four States Transmitted More UOCAVA Ballots to Uniformed Services Members
Than to Overseas Citizens



Source: The percentage of UOCAVA ballots transmitted to overseas citizens was calculated as $B5c/B5a \times 100$ for the 2020 EAVS. The percentage of UOCAVA ballots transmitted to uniformed services voters was calculated as $B5b/B5a \times 100$ for the 2020 EAVS. The percentage of uncategorized ballots was calculated as $(B5a-B5b-B5c)/B5a \times 100$ for the 2020 EAVS. Casewise deletion was used at the state level in calculating these percentages; percentages may not sum to 100%. Rhode Island did not report data on the number of ballots transmitted.

Modes of UOCAVA Ballot Transmission

Over the last several election cycles, the modes by which absentee ballots have been transmitted to voters have changed substantially. Since the passage of the MOVE Act, transmission of ballots to UOCAVA voters has increasingly occurred electronically. Email was the most popular method of ballot transmission for the 2020 general election, with 62.3% of absentee ballots transmitted to UOCAVA voters via email, 32% transmitted via postal mail, and 7.9% sent to voters through some other mode of transmission (e.g., fax or online systems). ²¹ By comparison, during the previous presidential election cycle in 2016, among states that provided data on transmission by mode, 59.8% of ballots were transmitted via email, and in 2018, email represented 56.6% of UOCAVA ballots that were transmitted. ²² Figure 6 displays the percentage of ballots transmitted by mail, email, or other modes for the 2020 general election.

Modes of ballot transmission differed based on UOCAVA voter type. The transmission mode among uniformed services members was almost evenly split between mail transmission (47.8%) and email transmission (46.7%). For ballots transmitted to overseas citizens, most ballots were transmitted by email (70.9%) while ballots transmitted by mail accounted for 22.2% of ballots transmitted. For both groups, between 7% and 7.9% of ballots were transmitted by other modes, including fax and online ballot delivery portals.

Overall, 1% of all ballots transmitted to UOCAVA voters were returned as undeliverable, including mailed ballots returned to sender, emailed ballots that bounced back, and ballots that were undeliverable by other modes, such as an incorrect fax number.²³

²¹ The percentage of ballots transmitted by email was calculated as B7a/B5a for the 2020 EAVS. The percentage of ballots transmitted by postal mail was calculated as B6a/B5a. The percentage of ballots transmitted by other modes of transmission was calculated as B8a/B5a. Casewise deletion was used at the state level in these calculations. All but three states reported ballots transmitted by mode in 2020. Two additional states did not report the number of ballots transmitted by email. These states were excluded from calculations of the percentage of ballots transmitted by a given mode. However, the percentages by mode did not change substantively when transmitted ballots from these states were included in analysis.

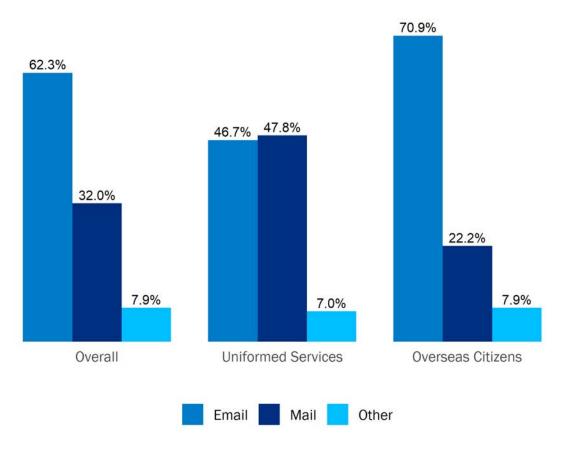
²² Until 2018, questions about mode of ballot receipt and return were asked in relation to the 45-day MOVE Act transmission deadline. Specifically, "How many UOCAVA absentee ballots did your jurisdiction transmit to UOCAVA voters using the following modes of transmission, before and after the 45-day deadline?" Starting in 2018, the survey was updated so that mode questions did not include this distinction. The percentage of ballots transmitted by email was calculated as B7a/B5a for the 2018 EAVS. The percentage of ballots transmitted by email was calculated as B24Total/B1a for the 2016 EAVS. Casewise deletion was used at the state level in these calculations. In 2016, 27 of the 55 states that answered the EAVS provided information on transmission by mode.

²³ The percentage of ballots returned as undeliverable was calculated as B13a/B5a. Casewise deletion was used at the state level in calculating this percentage. States and jurisdictions vary in the extent to which they are able to capture and report undeliverable ballots, overall and by mode of transmission.



Figure 6. Modes of Ballot Transmission Differ for Overseas Citizens and Uniformed Services

Members



Source: The percentages of UOCAVA ballots transmitted overall were calculated as $B7a/B5a \times 100$ for email, $B6a/B5a \times 100$ for postal mail, and $B8a/B5a \times 100$ for other modes. The percentages of UOCAVA ballots transmitted to uniformed services voters were calculated as $B7b/B5b \times 100$ for email, $B6b/B5b \times 100$ for postal mail, and $B8b/B5b \times 100$ for other modes. The percentages of UOCAVA ballots transmitted for overseas citizens were calculated as $B7c/B5c \times 100$ for email, $B6c/B5c \times 100$ for postal mail, and $B8c/B5c \times 100$ for other modes. Casewise deletion was used at the state level in calculating these percentages; percentages may not sum to 100%.

UOCAVA Ballots Returned and Submitted for Counting

States reported 911,614 regular absentee ballots: 73% of those transmitted to voters (through any mode) were returned and submitted for counting by UOCAVA voters for the 2020 general election. ²⁴ This is a 39% increase over 2016, when 655,844 regular absentee ballots were returned by UOCAVA voters. ²⁵ Figure 7 shows the UOCAVA ballot return totals by state in 2020. The states colored in dark

²⁴ The total number of returned UOCAVA ballots was collected in item B9a in the 2020 EAVS. The percentage of transmitted UOCAVA ballots that were returned was calculated as B9a/B5a. Casewise deletion at the state level was used in calculating this percentage. More than 82% of jurisdictions reported the number of ballots returned and submitted for counting. FWABs were reported separately from regular UOCAVA absentee ballots and were not included in these figures. Because more than one ballot may be transmitted to an individual voter (e.g., because the original was returned undeliverable or was spoiled and replaced), this rate likely underestimates the rate of ballot return by UOCAVA voters.
²⁵ The total number of returned UOCAVA ballots was collected in item B2a in the 2016 EAVS.

blue represent the states that had the highest ballot return totals. The states colored in light blue were the states that had the lowest ballot return totals.

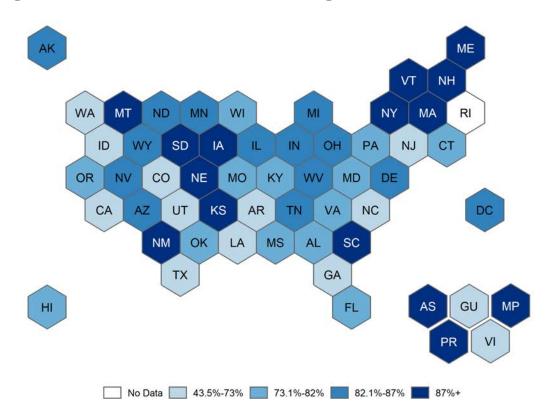


Figure 7. UOCAVA Ballot Return Rates Were the Highest in the Northeast and Midwest

Source: The percentage of transmitted UOCAVA ballots that were returned by voters was calculated as $B9a/B5a \times 100$. Casewise deletion was used at the state level in calculating the percentages shown in this map. States are grouped by quartiles rounded to the nearest integer.

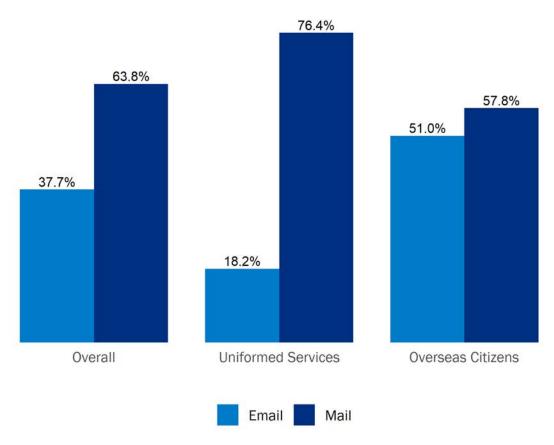
Of the ballots returned to election offices, 36.3% were returned by uniformed services members, and 62.9% were returned by overseas citizens. ²⁶ Overall, 63.8% of absentee ballots returned and submitted for counting by UOCAVA voters were returned to the election office via postal mail, 37.7% were returned by email, and 16.5% were returned through some other mode (e.g., fax or an online system). ²⁷ Twenty-three states indicated that they do not allow or did not report email ballot return.

²⁶ The percentage of UOCAVA ballots returned by uniformed services members was calculated as B9b/B9a. The percentage of UOCAVA ballots returned by overseas citizen voters was calculated as B9c/B9a. Casewise deletion was used at the state level in calculating these percentages.

²⁷ The percentage of UOCAVA ballots returned by postal mail was calculated as B10a/B9a. The percentage of UOCAVA ballots returned by email was calculated as B11a/B9a. The percentage of UOCAVA ballots returned by some other mode was calculated as B12a/B9a. Casewise deletion was used at the state level in calculating these percentages. Four states did not report the number of ballots returned by mode and were excluded from all mode analysis. In addition, 23 states did not report ballots returned via email, and 28 did not report ballots returned by some other mode. If all states are included in the analysis, 61.8% of ballots were returned via mail, 23.1% via email, 11.7% by some other mode, and 3.3% of returned ballots were not categorized by mode.

Among the states that reported UOCAVA ballots returned by email, 42.5% of ballots were returned through email, and 45.2% were returned via mail.²⁸

Figure 8. Although Many UOCAVA Voters, Especially Overseas Citizens, Use Email to Return Their Completed Absentee Ballot, Postal Mail Is the Primary Mode of Ballot Return



Source: The percentages of UOCAVA ballots returned by mode overall were calculated as $B10a/B9a \times 100$ for postal mail and $B11a/B9a \times 100$ for email. The percentages of UOCAVA ballots returned by mode for uniformed services members were calculated as $B10b/B9b \times 100$ for postal mail and $B11b/B9b \times 100$ for email. The percentages of UOCAVA ballots returned by mode for overseas citizens were calculated as $B10c/B9c \times 100$ for postal mail and $B11c/B9c \times 100$ for email. Casewise deletion was used at the state level in calculating these percentages, and because percentages for each type of voter and each mode of return were calculated independently and only states that reported data for a given mode of return were included in the analysis, the percentages do not sum to 100%. Other modes of ballot return are not shown here.

Although postal mail was the most common mode of ballot return for both uniformed services and overseas citizen voters, uniformed services members used email return far less than overseas

²⁸ Thirty-three states reported at least one email ballot returned (item B11a in the 2020 EAVS). The percentage of ballots returned by email was calculated as B11a/B9a among states reporting at least one email ballot returned (item B11a in the 2020 EAVS). The percentage of ballots returned by mail was calculated as B10a/B9a among states reporting at least one email ballot returned (item B11a in 2020 EAVS). Casewise deletion was used at the state level in calculating these percentages.

citizens, with just 18.2% using email to return an absentee ballot versus 51% of overseas citizens.²⁹ Figure 8 displays the method of ballot return for UOCAVA voters by type.

Overall, 889,837 regular absentee ballots returned by UOCAVA voters were counted in the 2020 general election. Of these votes, 63.1% were cast by overseas citizens and 36.5% by uniformed services voters.³⁰ The overall rejection rate for regular absentee ballots returned by UOCAVA voters was 2.1%, less than half the overall rejection rate of 5.7% reported in 2018.³¹ The overall rejection rate did not differ significantly across UOCAVA voter types.³²

Figure 9 shows the number of rejected UOCAVA ballots returned and submitted by voters for counting in each state. The states that are colored in dark blue represent the states that reported the highest number of rejected ballots, and the states that are colored in light blue reported the lowest number of rejected ballots.

Rejected ballots were divided into three reasons for rejection: missed deadline, problem with voter signature, and lacked postmark.³³ By far the most common reason for rejection was that a ballot was received after a state's deadline for UOCAVA absentee ballot receipt. Of the 19,060returned UOCAVA ballots rejected, 8,188 were rejected because they were received after the state deadline, which was 43.5% of all UOCAVA ballot rejections.³⁴ Voter signature problems were responsible for 19.6% of all UOCAVA ballot rejections, 3.3% of ballot rejections were the result of postmark issues, and 47.3% of rejections were caused by some other issue.³⁵

²⁹ The percentage of UOCAVA ballots returned by email by uniformed services members was calculated as B11b/B9b. The percentage of UOCAVA ballots returned by email by overseas citizens was calculated as B11c/B9c. Of note, two of the states with the largest numbers of UOCAVA voters—California and Florida—do not allow email return of absentee ballots.
³⁰ The total number of UOCAVA ballots that were returned by voters and counted was collected in item B14a of the 2020 EAVS. The percentage of ballots that were returned by uniformed services members was calculated as B14b/B14a. The percentage of ballots that were returned by overseas citizen voters was calculated as B14c/B14a. Casewise deletion was used at the state level in calculating these percentages. An additional 12,919 (1.5%) UOCAVA absentee ballots counted were not classified by voter type.

³¹ Before survey revisions were made in the 2018 EAVS, UOCAVA ballot rejection data included both regular absentee ballots and FWABs, making direct comparisons with years before 2018 complicated. The 2016 ballot rejection rate was calculated as (B16a+B16b+B16c)/B26b and produced an overall rejection rate of 2.4%.

³² The rejection rate for UOCAVA ballots was calculated as B18a/B9a for the 2018 and 2020 EAVS. The percentage of ballots rejected from uniformed services voters was calculated as B18b/B9b. The percentage of ballots rejected from overseas citizen voters was calculated as B18c/B9c. Casewise deletion was used at the state level in calculating these percentages. The rejection rate for returned ballots was 2% for uniformed services members, 2.1% for overseas citizens, and 6.3% among rejected ballots not classified by voter type.

³³ Two states (Mississippi and Rhode Island) and four U.S. territories (American Samoa, the Northern Mariana Islands, Puerto Rico, and U.S. Virgin Islands) did not report the number of ballots rejected. The number of ballots rejected was reported for 81.7% of jurisdictions nationwide. Most of these jurisdictions also subdivided rejected ballots by reason for rejection. New Jersey was not able to separate regular UOCAVA ballots from FWABs; information on all of the UOCAVA ballots rejected in New Jersey in the 2018 election is available in the survey comments.

³⁴ The total number of UOCAVA ballots rejected for being received after the state deadline was item B19a of the 2020 EAVS. The percentage of UOCAVA ballots rejected for being received late was calculated as B19a/B18a. Casewise deletion was used at the state level in calculating this percentage.

³⁵ The percentage of UOCAVA ballots rejected because of signature issues was calculated as B20a/B18a. The percentage of UOCAVA ballots rejected because of postmark issues was calculated as B21a/B18a. The percentage of UOCAVA ballots rejected for other reasons was calculated as B22a/B18a. Casewise deletion was used at the state level in calculating these percentages. The increase in "other" reasons for rejection may reflect a large increase in the use of this category by certain states, in particular New York with 2,098 (71.5% of their rejections) and Virginia 2,531 (217.3% of their rejections). These two states accounted for more than half of the total "other" rejections.



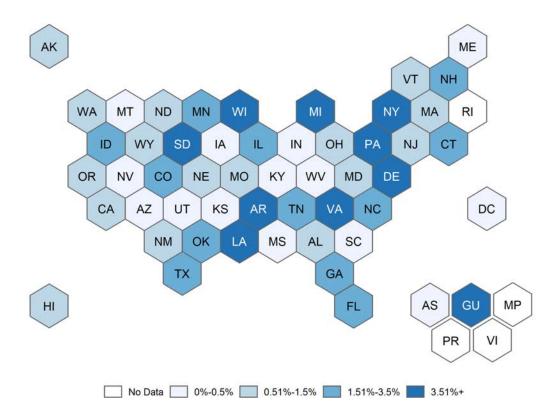


Figure 9. UOCAVA Ballot Rejection Rates Vary Significantly Across States

Source: The percentage of returned UOCAVA ballots that were rejected includes regular UOCAVA absentee ballots that were rejected (item B18a in the 2020 EAVS), divided by the total number of regular UOCAVA absentee ballots received (item B9a in the 2020 EAVS). Casewise deletion was used at the state level in calculating the percentages shown in this map. Cutoff points in the graph were selected to reflect states that had the lowest and highest percentage of UOCAVA ballot rejection rates and to differentiate among the states in between the lowest and highest UOCAVA ballot rejection rates.

Uniformed services members and overseas citizen UOCAVA ballots were rejected for similar reasons. Missing the deadline was the most common reason for rejection among both populations—44.7% for uniformed services members and 41.3% for overseas citizens. Signature issues were the cause of 27.3% of ballot rejections for ballots returned by uniformed services members, almost twice the percentage of overseas citizen ballots rejected for this reason (13.7%).³⁶

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³⁶ The percentage of ballots rejected for missing the deadline was calculated as B19b/B18b for uniformed services voters and B19c/B18c for overseas citizens. The percentage of ballots rejected because of signature issues was calculated as B20b/B18b for uniformed services voters and B20c/B18c for overseas citizens. Casewise deletion was used at the state level in calculating these percentages.

Federal Write-In Absentee Ballots

If a regular absentee ballot does not arrive in time for an individual to vote, the FWAB functions as a backup ballot that can be used to vote for all federal offices and, in some states, state and local offices as well.

The Federal Write-In Absentee Ballot (FWAB)

The FWAB is a special type of UOCAVA ballot that may be used as a backup in the event that a voter's regular absentee ballot does not arrive in time to vote. In most states, a UOCAVA voter must have registered and requested an absentee ballot in order to use the FWAB.

Although the 33,027 FWABs submitted in 2020 made up a relatively small proportion (3.8%) of all the UOCAVA ballots returned, there was a 41.1% increase in the volume of FWABs reported compared to the 2016 presidential election.³⁷ Despite the increase from previous elections, FWAB usage remains a relatively small proportion of the UOCAVA methods of voting among both uniformed services members and overseas citizen voters. However, the FWAB resulted in 23,897 additional UOCAVA voters' ballots counted in the 2020 general election, with 24.2% of these additional voters from uniformed services members and 73.2% from overseas citizens.³⁸ Thirteen states and territories reported that they received no FWABs during the 2020 presidential election.³⁹

Roughly one in four (8,438 or 25.6%) of the 33,027 FWABs submitted in the 2020 general election were not counted. Of these, 3,965 FWABs—47.1% of the rejected FWABs—were replaced by a regular absentee ballot, making the backup ballot unnecessary.⁴⁰ The rate of uncounted FWABs returned by uniformed services members was similar to the rate of uncounted FWABs returned by overseas citizens—27.6% and 21.5%, respectively.⁴¹ The other major reason FWABs went uncounted (and the

³⁷ The percentage of all ballots returned that were FWABs was calculated using the total number of FWABs received (B23a) divided by the total number of UOCAVA ballots received (the sum of B9a and B23a). Casewise deletion was used at the state level in calculating this percentage. The total number of FWABs received was collected in item B23a in the 2020 EAVS and the sum of B31a, B31b, B31c, and B31d in the 2016 EAVS. In 2016, states reported receiving 23,412 FWABs. For 2020, The total number of FWABs returned was based on 82.1% of jurisdictions for which this information was available.

³⁸ The total number of FWABs received and counted was item B24a of the 2020 EAVS. The number of FWABs counted from uniformed services members was item B24b, and the number of FWABs counted from overseas citizens was item B24c. The percentage of counted FWABs returned by uniformed services members was calculated as B24b/B24a. The percentage of counted FWABs returned by overseas citizens was calculated as B24c/B24a. Casewise deletion was used at the state level in calculating this percentage.

³⁹ American Samoa, Guam, and Puerto Rico reported receiving zero FWABs. Georgia, Iowa, Oregon, and South Carolina reported FWABs with regular UOCAVA ballots because they could not separate the two types.

⁴⁰ The number of FWABs rejected because the voter's regular absentee ballot was received and counted was item B26a of the 2020 EAVS. The percentage of rejected FWABs that were rejected for this reason was calculated as B26a/(B25a+B26a+B27a). Casewise deletion at the state level was used in calculating the percentage.

⁴¹ The total percentage of FWABs rejected was calculated as (B25a+B26a+B27a)/B23a. The percentage of FWABs rejected from uniformed services members was calculated as (B25b+B26b+B27b)/B23b. The percentage of FWABs rejected from overseas citizen voters was calculated as (B25c+B26c+B27c)/B23c. Casewise deletion was used at the state level in calculating these percentages.

only other reason states reported via the EAVS) was because they were received after the ballot receipt deadline (13.1% of rejected FWABs).⁴²

 $^{^{42}}$ The percentage of rejected FWABs that were rejected because they were received after the deadline was calculated as B25a/(B25a+B26a+B27a). Casewise deletion at the state level was used in this calculation.

Appendix A: Descriptive Tables

UOCAVA Table 1: Registered and Eligible UOCAVA Voters

	Registered UOCAVA Voters									
State	AII UOCAVA Voters		d Services obers	Overseas			gorized by Type			
		Total	%	Total	%	Total	%			
Alabama [1]					-					
Alaska	16,194	12,285	75.9	3,909	24.1	0	0.0			
American Samoa	214	183	85.5	31	14.5	0	0.0			
Arizona	21,661	8,187	37.8	13,474	62.2	0	0.0			
Arkansas	3,347	1,671	49.9	1,291	38.6	385	11.5			
California	187,213	42,249	22.6	144,779	77.3	185	0.1			
Colorado	42,291	15,114	35.7	27,177	64.3	0	0.0			
Connecticut [2]		-			-					
Delaware	2,899	640	22.1	2,259	77.9	0	0.0			
District of Columbia	6,003	186	3.1	5,817	96.9	0	0.0			
Florida	191,628	120,241	62.7	71,387	37.3	0	0.0			
Georgia	27,252	14,223	52.2	13,029	47.8	0	0.0			
Guam	120	76	63.3	44	36.7	0	0.0			
Hawaii	4,835	1,212	25.1	3,262	67.5	361	7.5			
Idaho	3,886	1,959	50.4	1,925	49.5	2	0.1			
Illinois	30,274	7,585	25.1	22,626	74.7	63	0.2			
Indiana	23,188	11,376	49.1	11,812	50.9	0	0.0			
Iowa	6,772	2,182	32.2	4,580	67.6	10	0.1			
Kansas [3]										
Kentucky	6,887	3,402	49.4	3,485	50.6	0	0.0			
Louisiana	8,950	4,701	52.5	4,249	47.5	0	0.0			
Maine	6,527	1,369	21.0	5,158	79.0	0	0.0			
Maryland	27,454	9,228	33.6	18,226	66.4	0	0.0			
Massachusetts	29,184	1,719	5.9	27,465	94.1	0	0.0			
Michigan	26,866	6,833	25.4	20,033	74.6	0	0.0			
Minnesota	19,243	5,230	27.2	14,013	72.8	0	0.0			
Mississippi	3,721	2,446	65.7	1,275	34.3	0	0.0			
Missouri [1]										
Montana	5,110	2,549	49.9	2,561	50.1	0	0.0			
Nebraska	3,059	1,206	39.4	1,853	60.6	0	0.0			
Nevada	8,847	3,515	39.7	5,332	60.3	0	0.0			
New Hampshire	7,165	2,506	35.0	4,659	65.0	0	0.0			
New Jersey	26,959	2,654	9.8	24,305	90.2	0	0.0			



	Registered UOCAVA Voters									
State	All UOCAVA Voters		Uniformed Services Members		Citizens		gorized by Type			
		Total	%	Total	%	Total	%			
New Mexico	6,365	4,813	75.6	1,552	24.4	0	0.0			
New York	67,931	6,913	10.2	61,018	89.8	0	0.0			
North Carolina	33,413	14,886	44.6	18,527	55.4	0	0.0			
North Dakota [4]		-					-			
Northern Mariana Islands	25	25	100.0	0	0.0	0	0.0			
Ohio [5]										
Oklahoma	8,647	5,768	66.7	2,879	33.3	0	0.0			
Oregon	20,477	6,370	31.1	14,107	68.9	0	0.0			
Pennsylvania	35,597	11,515	32.3	24,082	67.7	0	0.0			
Puerto Rico [6]	587					587	100.0			
Rhode Island [7]	3,084		-		-	3,084	100.0			
South Carolina	15,062	8,147	54.1	6,915	45.9	0	0.0			
South Dakota	3,583	2,214	61.8	1,369	38.2	0	0.0			
Tennessee	17,927	11,017	61.5	6,910	38.5	0	0.0			
Texas	85,972	46,908	54.6	35,574	41.4	3,490	4.1			
U.S. Virgin Islands	13	13	100.0	0	0.0	0	0.0			
Utah	7,707	3,150	40.9	4,557	59.1	0	0.0			
Vermont [8]										
Virginia	41,063	14,841	36.1	26,222	63.9	0	0.0			
Washington	127,976	84,227	65.8	43,749	34.2	0	0.0			
West Virginia	2,531	1,459	57.6	1,072	42.4	0	0.0			
Wisconsin	25,956	18,240	70.3	7,716	29.7	0	0.0			
Wyoming	1,964	1,095	55.8	869	44.2	0	0.0			
U.S. Total	1,253,629	528,328	42.3	717,134	57.4	8,167	0.7			

UOCAVA Table 1 Calculation Notes:

Registered Voters - All UOCAVA Voters, Total uses question B1a.

Registered Voters - Uniformed Services Members, Total uses question B1b.

Registered Voters - Uniformed Services Members, % uses question B1b divided by question B1a.

Registered Voters - Overseas Citizens, Total uses question B1c.

Registered Voters - Overseas Citizens, % uses question B1c divided by question B1a.

Registered Voters – Not Categorized by Voter Type, Total uses question B1a minus the sum of questions B1b and B1c.

Registered Voters – Not Categorized by Voter Type, % uses question B1a minus the sum of questions B1b and B1c, all divided by question B1a.

UOCAVA Table 1 Data Notes:

General Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from those states that provided data
 for the numerator and denominator of the calculation.
- [1] Alabama and Missouri reported that data on the number of registered UOCAVA voters were not available.
- [2] Connecticut reported that data on the number of registered UOCAVA voters were "not collected due to COVID."
- [3] Kansas did not provide any response to item B1.
- [4] North Dakota does not have voter registration.
- [5] Ohio noted in a survey comment that "As Ohio permits UOCAVA voters to register by several means other than a FPCA or FWAP [sic], we cannot accurately provide the actual number of UOCAVA voters in our state."
- [6] Puerto Rico noted in a survey comment that "At this moment, PR SEC doesn't have the data break down by categories." This abbreviation was not defined by the state.
- [7] Rhode Island noted in a survey comment that "[A]ccording to RI general law all UOCAVA mail ballots are consolidated into one mail ballot category."
- [8] Vermont reported that item B1 did not apply to the state.



UOCAVA Table 2: Federal Post Card Applications (FPCA)

		FPCAs Received									
		Uniformed Ser	vices Members	Overseas	s Citizens	Not Cat	tegorized				
State	Total FPCAs Received	Total	% of Total FPCAs Received	Total	% of Total FPCAs Received	Total	% of Total FPCAs Received				
Alabama	3,578	2,320	64.8	1,258	35.2	0	0.0				
Alaska	3,001	2,049	68.3	952	31.7	0	0.0				
American Samoa	12	8	66.7	4	33.3	0	0.0				
Arizona	21,889	6,375	29.1	10,242	46.8	5,272	24.1				
Arkansas	956	421	44.0	547	57.2	-12	-1.3				
California	117,618	22,131	18.8	85,296	72.5	10,191	8.7				
Colorado [1]	11,584	2,288	19.8	9,296	80.2	0	0.0				
Connecticut [2]	-	-	-	-	-	-	-				
Delaware	2,918	644	22.1	2,274	77.9	0	0.0				
District of Columbia	2,353	186	7.9	2,167	92.1	0	0.0				
Florida	39,113	17,839	45.6	21,274	54.4	0	0.0				
Georgia	3,945	1,175	29.8	2,770	70.2	0	0.0				
Guam	55	35	63.6	20	36.4	0	0.0				
Hawaii	4,534	1,106	24.4	2,938	64.8	490	10.8				
ldaho	3,285	1,515	46.1	1,770	53.9	0	0.0				
Illinois	25,678	5,838	22.7	19,777	77.0	63	0.2				
Indiana	7,991	2,359	29.5	5,632	70.5	0	0.0				
lowa [3]	6,772					6,772	100.0				
Kansas	5,611	2,691	48.0	3,705	66.0	-785	-14.0				
Kentucky	7,667	3,738	48.8	3,929	51.2	0	0.0				
Louisiana [4]	1,552	-	-		-	1,552	100.0				
Maine [5]		-	-		-	-	-				
Maryland	27,492	9,239	33.6	18,253	66.4	0	0.0				
Massachusetts	25,487	1,295	5.1	24,192	94.9	0	0.0				
Michigan [6]	20,945	4,879	23.3	16,066	76.7	0	0.0				
Minnesota	19,154	5,217	27.2	13,937	72.8	0	0.0				
Mississippi [7]	3,717	-			-	3,717	100.0				
Missouri [8]	1,803	-		-		1,803	100.0				
Montana [9]	3,976	1,989	50.0	1,987	50.0	0	0.0				
Nebraska	2,853	1,097	38.5	1,756	61.5	0	0.0				
Nevada	8,738	3,448	39.5	5,290	60.5	0	0.0				
New Hampshire	7,165	2,506	35.0	4,659	65.0	0	0.0				
New Jersey	25,152	2,557	10.2	22,595	89.8	0	0.0				
New Mexico	2,159	687	31.8	1,472	68.2	0	0.0				

				FPCAs Received	d								
		Uniformed Ser	vices Members	Overseas	s Citizens	Not Cat	egorized						
State	Total FPCAs Received	Total	% of Total FPCAs Received	Total	% of Total FPCAs Received	Total	% of Total FPCAs Received						
New York	67,931	6,913	10.2	61,018	89.8	0	0.0						
North Carolina	25,573	10,088	39.4	15,485	60.6	0	0.0						
North Dakota	339	189	55.8	150	44.2	0	0.0						
Northern Mariana Islands [10]	25	25	100.0	0	0.0	0	0.0						
Ohio [11]	25,719	9,311	36.2	16,408	63.8	0	0.0						
Oklahoma	8,311	5,582	67.2	2,729	32.8	0	0.0						
Oregon [12]	2,683	-	-	-	-	2,683	100.0						
Pennsylvania	32,027	9,330	29.1	22,697	70.9	0	0.0						
Puerto Rico [13]	-		-	_	-	_	-						
Rhode Island [14]			-	-			-						
South Carolina [6], [15]				-		-	-						
South Dakota	74	59	79.7	15	20.3	0	0.0						
Tennessee	16,713	10,266	61.4	6,447	38.6	0	0.0						
Texas	87,645	45,751	52.2	35,526	40.5	6,368	7.3						
U.S. Virgin Islands	6	6	100.0	0	0.0	0	0.0						
Utah	4,299	1,208	28.1	3,091	71.9	0	0.0						
Vermont [15]						-	-						
Virginia [6]	40,408	14,524	35.9	25,884	64.1	0	0.0						
Washington	27,524	5,206	18.9	22,318	81.1	0	0.0						
West Virginia	1,632	823	50.4	809	49.6	0	0.0						
Wisconsin [16]	3,886	759	19.5	3,127	80.5	0	0.0						
Wyoming	1,143	669	58.5	474	41.5	0	0.0						
U.S. Total	764,691	226,341	30.3	500,236	66.9	38,114	5.0						



	FPCAs Rejected										
		~ .		d Services ibers	Oversea	s Citizens	Not Cat	egorized			
State	Total FPCAs Rejected	% of FPCAs Received	Total	% of Received from Uniformed Services	Total	% of Received from Overseas Citizens	Total	% of Total FPCAs Rejected			
Alabama	43	1.2	34	1.5	6	0.5	3	7.0			
Alaska	57	1.9	45	2.2	12	1.3	0	0.0			
American Samoa	0	0.0	0	0.0	0	0.0	0	_			
Arizona	42	0.2	18	0.3	20	0.2	4	9.5			
Arkansas	7	0.7	6	1.4	7	1.3	-6	-85.7			
California	9,602	8.2	2,830	12.8	6,644	7.8	128	1.3			
Colorado [1]	0	0.0	0	0.0	0	0.0	0	-			
Connecticut [2]	-	-	-	-	-	-	-	-			
Delaware	11	0.4	2	0.3	9	0.4	0	0.0			
District of Columbia	73	3.1	0	0.0	73	3.4	0	0.0			
Florida	896	2.3	360	2.0	530	2.5	6	0.7			
Georgia	244	6.2	73	6.2	171	6.2	0	0.0			
Guam	26	47.3	15	42.9	11	55.0	0	0.0			
Hawaii	13	0.3	0	0.0	0	0.0	13	100.0			
Idaho	37	1.1	15	1.0	19	1.1	3	8.1			
Illinois	364	1.4	72	1.2	290	1.5	2	0.5			
Indiana	74	0.9	15	0.6	59	1.0	0	0.0			
Iowa [3]	-	-	-		-	-	-	-			
Kansas	39	0.7	17	0.6	22	0.6	0	0.0			
Kentucky	1,415	18.5	740	19.8	675	17.2	0	0.0			
Louisiana [4]	2	0.1				-	2	100.0			
Maine [5]	-		-	-		-	-	-			
Maryland	50	0.2	15	0.2	35	0.2	0	0.0			
Massachusett s	156	0.6	37	2.9	119	0.5	0	0.0			
Michigan [6]	-	-		-	-	-	-	-			
Minnesota	220	1.1	86	1.6	134	1.0	0	0.0			
Mississippi [7]	1	0.0	0	-	1	-	0	0.0			
Missouri [8]						-					
Montana [9]	5	0.1	3	0.2	2	0.1	0	0.0			
Nebraska	13	0.5	7	0.6	6	0.3	0	0.0			
Nevada	36	0.4	14	0.4	22	0.4	0	0.0			
New Hampshire	4	0.1	0	0.0	4	0.1	0	0.0			
New Jersey	14	0.1	1	0.0	13	0.1	0	0.0			
New Mexico	442	20.5	214	31.1	228	15.5	0	0.0			
New York	0	0.0	0	0.0	0	0.0	0	-			

	FPCAs Rejected										
				d Services ibers	Overseas	Citizens	Not Cat	egorized			
State	Total FPCAs Rejected	% of FPCAs Received	Total	% of Received from Uniformed Services	Total	% of Received from Overseas Citizens	Total	% of Total FPCAs Rejected			
North Carolina	318	1.2	109	1.1	209	1.3	0	0.0			
North Dakota	140	41.3	79	41.8	61	40.7	0	0.0			
Northern Mariana Islands [10]	0	0.0	0	0.0	0	-	0				
Ohio [11]	860	3.3	272	2.9	405	2.5	183	21.3			
Oklahoma	0	0.0	0	0.0	0	0.0	0	-			
Oregon [12]			-					-			
Pennsylvania	69	0.2	17	0.2	52	0.2	0	0.0			
Puerto Rico [13]						-		-			
Rhode Island [14]	-			-		-	-	-			
South Carolina [6], [15]						-		-			
South Dakota	2	2.7	1	1.7	1	6.7	0	0.0			
Tennessee	562	3.4	494	4.8	68	1.1	0	0.0			
Texas	3,894	4.4	1,617	3.5	1,258	3.5	1,019	26.2			
U.S. Virgin Islands	0	0.0	0	0.0	0		0				
Utah	8	0.2	6	0.5	2	0.1	0	0.0			
Vermont [15]	-	-	-	-	-	-		-			
Virginia [6]	121	0.3	52	0.4	69	0.3	0	0.0			
Washington	0	0.0	0	0.0	0	0.0	0	-			
West Virginia	7	0.4	5	0.6	2	0.2	0	0.0			
Wisconsin [16]	0	0.0	0	0.0	0	0.0	0				
Wyoming	7	0.6	4	0.6	3	0.6	0	0.0			
U.S. Total	19,874	2.7	7,275	3.3	11,242	2.3	1,357	6.8			

UOCAVA Table 2 Calculation Notes:

Total FPCAs received uses question B2a.

FPCAs received - Uniformed Services Members, Total uses question B2b.

FPCAs received – Uniformed Services Members, Pct of Total FPCAs Received uses question B2b divided by question B2a.

FPCAs received - Overseas Citizens, Total uses question B2c.

FPCAs received – Overseas Citizens, Pct of Total FPCAs Received uses question B2c divided by question B2a.

FPCAs received – Not Categorized by Voter Type, Total uses question B2a minus the sum of questions B2b and B2c.

FPCAs received – Not Categorized by Voter Type, Pct of Total FPCAs Received uses question B2a minus the sum of questions B2b and B2c, all divided by question B2a.

Total FPCAs rejected uses question B3a.



Percent of FPCAs received that were rejected uses question B3a divided by question B2a.

FPCAs rejected - Uniformed Services Members, Total uses question B3b.

FPCAs rejected - Uniformed Services Members, % uses question B3b divided by question B2b.

FPCAs rejected - Overseas Citizens, Total uses question B3c.

FPCAs rejected - Overseas Citizens, % uses question B3c divided by question B2c.

FPCAs rejected – Not Categorized by Voter Type, Total uses question B3a minus the sum of questions B3b and B3c.

FPCAs rejected – Not Categorized by Voter Type, % uses question B3a minus the sum of questions B3b and B3c, all divided by question B3a.

UOCAVA Table 2 Data Notes:

General Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from the states that provided data for
 the numerator and denominator of the calculation.
- Negative numbers in the Not Categorized FPCAs received or rejected categories indicate that the sum of FPCAs for uniformed services members and overseas citizens in that category account for more than the total number of FPCAs reported by the state in the corresponding category.
- [1] Connecticut reported that data on FPCAs were not available and that "[N]o distinction [was] made for these voters."
- [2] Colorado noted in a survey comment that "FPCAs are not rejected; if not completed by the voter, the voter is incomplete or pending."
- [3] lowa reported data on the total number of FPCAs received but not on how many were received by voter type or how many FPCAs were rejected. This state noted in a survey comment that "[S]ystem does not allow me to show breakdown between these two types of UOCAVA voters." The state also noted that "FPCAs can be accepted up to and including Election Day."
- [4] Louisiana reported data on the total number of FPCAs received and rejected and noted in a survey comment that "[T]he Department of State only collects data for the totals."
- [5] Maine reported that the EAVS items related to FPCAs did not apply to the state.
- [6] Michigan, South Carolina, and Virginia reported that data on rejected FPCAs were not available.
- [7] Mississippi reported in a survey comment that "FPCA by military or out of county not clearly defined in SEMS [Statewide Elections Management System]."
- [8] Missouri reported data on the total number of FPCAs received but not on how many were received by voter type or how many FPCAs were rejected.
- [9] Montana noted in survey comments that the state "accepts absentee registrations up until 8PM on Election Day."
- [10] The Northern Mariana Islands reported in survey comments that "[0]ur office did not receive any FPCA applicants."
- [11] Ohio noted for multiple counties that "[T]otal in B3a includes B4a; however, source information [for [military/overseas voters] for B4a is not tracked. [B]ecause of this, B3b + B3c will not always equal B3a."
- [12] Oregon reported in survey comments that the state is "unable to separate uniformed services from non-military overseas" and that data on rejected FPCAs is not tracked.
- [13] Puerto Rico reported that data on FPCAs was not available, with a survey comment that "all the requests were made by email."
- [14] Rhode Island noted in a survey comment that "[A]ccording to RI general law all UOCAVA mail ballots are consolidated into one mail ballot category."
- [15] South Carolina and Vermont reported that data on FPCAs were not available.

[16] Wisconsin state statute does not require rejected registrations or FPCAs to be tracked.



UOCAVA Table 3: UOCAVA Ballots Transmitted, Returned, Counted and Rejected

State	UOCAVA Ballots	UOCAVA Ballots	UOCAVA Bal	JOCAVA Ballots Counted UOCAVA Ballots R		
State	Transmitted	Returned	Total	% of Returned	Total	% of Returned
Alabama	6,682	5,144	5,091	99.0	53	1.0
Alaska	16,152	13,598	13,422	98.7	176	1.3
American Samoa	214	214	214	100.0	0	0.0
Arizona	21,679	18,483	18,435	99.7	48	0.3
Arkansas	3,042	2,206	2,104	95.4	465	21.1
California	162,295	97,301	95,872	98.5	1,419	1.5
Colorado	45,558	29,631	28,762	97.1	869	2.9
Connecticut	9,950	7,874	7,689	97.7	185	2.3
Delaware	2,899	2,429	2,305	94.9	124	5.1
District of Columbia	6,003	4,990	4,990	100.0	9	0.2
Florida	144,678	117,965	115,975	98.3	2,127	1.8
Georgia [1]	28,454	18,867	18,475	97.9	392	2.1
Guam	120	69	65	94.2	4	5.8
Hawaii	4,623	3,624	3,503	96.7	36	1.0
Idaho [2]	4,449	3,230	3,442	106.6	90	2.8
Illinois	29,614	24,358	23,302	95.7	462	1.9
Indiana	10,325	8,814	8,773	99.5	34	0.4
lowa [1]	6,776	6,000	5,980	99.7	29	0.5
Kansas	5,551	4,990	4,980	99.8	23	0.5
Kentucky	6,252	4,669	4,664	99.9	5	0.1
Louisiana [3]	9,131	6,132	5,872	95.8	260	4.2
Maine	6,421	5,701	5,674	99.5	21	0.4
Maryland	29,060	21,593	21,315	98.7	278	1.3
Massachusetts	28,533	24,890	24,685	99.2	140	0.6
Michigan	27,026	22,492	21,464	95.4	1,028	4.6
Minnesota	19,383	15,943	15,407	96.6	536	3.4
Mississippi	3,717	2,967	2,965	99.9	0	0.0
Missouri	13,458	10,821	10,716	99.0	105	1.0
Montana [4]	4,944	4,323	4,312	99.7	11	0.3
Nebraska	2,978	2,643	2,627	99.4	16	0.6
Nevada	8,850	7,258	7,224	99.5	34	0.5
New Hampshire	7,165	6,327	6,167	97.5	160	2.5
New Jersey	26,959	11,732	11,634	99.2	81	0.7
New Mexico	6,292	6,292	5,261	83.6	71	1.1
New York [5]	58,393	69,585	66,706	95.9	2,936	4.2
North Carolina	58,993	26,802	26,386	98.4	416	1.6
North Dakota	1,900	1,633	1,624	99.4	18	1.1

State	UOCAVA Ballots	UOCAVA Ballots	UOCAVA Bal	lots Counted	UOCAVA Bal	lots Rejected
	Transmitted	Returned	Total	% of Returned	Total	% of Returned
Northern Mariana Islands [6]	25	25	25	100.0		-
Ohio	25,742	21,601	21,388	99.0	213	1.0
Oklahoma	8,687	6,355	6,204	97.6	151	2.4
Oregon [1]	20,477	16,751	16,534	98.7	217	1.3
Pennsylvania	33,772	26,952	25,589	94.9	1,363	5.1
Puerto Rico [7]	587	587	587	100.0		
Rhode Island [8]		-				-
South Carolina [1], [9]	14,874	12,963	12,906	99.6	57	0.4
South Dakota	3,159	3,059	2,939	96.1	122	4.0
Tennessee	17,927	14,884	14,444	97.0	440	3.0
Texas	85,972	62,651	59,380	94.8	1,399	2.2
U.S. Virgin Islands [10]	13	8	8	100.0		
Utah	9,087	5,820	5,798	99.6	22	0.4
Vermont	2,753	2,753	2,723	98.9	30	1.1
Virginia	41,063	33,045	31,880	96.5	1,165	3.5
Washington	134,777	64,632	63,954	99.0	678	1.0
West Virginia	2,549	2,167	2,162	99.8	5	0.2
Wisconsin [11]	17,642	14,057	13,530	96.3	527	3.7
Wyoming	1,976	1,714	1,704	99.4	10	0.6
U.S. Total	1,249,601	911,614	889,837	97.6	19,060	2.1

UOCAVA Table 3 Calculation Notes:

UOCAVA Ballots Transmitted uses question B5a.

UOCAVA Ballots Returned uses question B9a.

UOCAVA Ballots Counted, Total uses question B14a.

UOCAVA Ballots Counted, % of Returned uses question B14a divided by B9a.

UOCAVA Ballots Rejected, Total uses question B18a.

UOCAVA Ballots Rejected, % of Returned uses question B18a divided by B9a.

UOCAVA Table 3 Data Notes:

General Notes:

Casewise deletion at the state level was used in calculating national percentages. The percentage
calculations at the national level (U.S. Total) only used data from those states that provided data
for the numerator and denominator of the calculation.

[1] Georgia, Iowa, Oregon, and South Carolina reported that data on FWABs were included in the EAVS items related to UOCAVA absentee ballots because FWABs cannot be distinguished from regular UOCAVA absentee ballots.



- [2] Kootenai County in Idaho responded "Data not available" to the number of UOCAVA ballots returned (B9a) and reported 317 UOCAVA ballots counted (B14a). Because of these responses, the total number of UOCAVA ballots received at the state level was lower than the total number of UOCAVA ballots counted, and the percentage of counted ballots exceeded 100% in Idaho.
- [3] Louisiana noted in a survey comment that "[T]he registrar sometimes transmits multiple ballots to voter (i.e. the voter did not [receive] the original ballot or the original ballot is returned as undeliverable)."
- [4] Montana noted in a survey comment that "[B]allots issued may exceed voter registration due to replacement ballot issued."
- [5] New York noted in a survey comment that "While the UOCAVA data reflects information provided by the counties, it does not address the variable that voters may return more than one ballot. The following further addresses this variable:
 - (1) If voters have electronic access to their ballot, they could potentially download and print the documents more than once and subsequently return them to the county boards.
 - (2) Some county boards mail a ballot to every UOCAVA voter, regardless of their transmission preference. Due to this, voters who already received their ballot electronically, completed and returned it, may subsequently receive a physical ballot in the mail. This may result in such voters returning this additional ballot.
 - (3) Additional data collected by NYS BOE [New York State Board of Elections] has shown that more than 1700 UOCAVA voters returned multiple ballots, although the data does not report how many ballots each of these voters returned."
- [6] The Northern Mariana Islands and the U.S. Virgin Islands reported that items related to rejected UOCAVA absentee ballots did not apply.
- [7] Puerto Rico reported that data in items related to rejected UOCAVA absentee ballots did not apply.
- [8] Rhode Island noted in a survey comment that "[A]ccording to RI general law all UOCAVA mail ballots are consolidated into one mail ballot category."
- [9] South Carolina noted in a survey comment that "UOCAVA ballots counted equals UOCAVA ballots returned before deadline. No data available on UOCAVA ballots that may have been challenged."
- [10] The U.S. Virgin Islands reported that items related to rejected UOCAVA absentee ballots did not apply, with a survey comment that "[T]he five voters did not return their ballots that were sent to them."
- [11] In Wisconsin, other methods of transmitting UOCAVA ballots include online ballot delivery, fax, or email. There were some UOCAVA voters who voted at the polls on Election Day, rather than by UOCAVA absentee ballot; these voters are not included in Section B but are included in the numbers for Section D. Wisconsin does not have a postmark requirement for absentee ballots; absentee ballots must be received by the local clerk before polls close on Election Day. Many Wisconsin jurisdictions track the return of ballots received after Election Day, but they are not required to do so. Counts reported for "Ballot not received on time/missed deadline" represent the ballots that have been tracked in this way. In Wisconsin, ballots missing a postmark are counted if they otherwise qualify; therefore, there are no ballots rejected for this reason.

UOCAVA Table 4: Federal Write-In Absentee Ballots (FWAB)

	Total	FWABs	Counted	FWABs I	Rejected	FWABs Not	: Categorized
State	FWABs Received	Total	% of Total Received	Total	% of Total Received	Total	% of Total Received
Alabama	254	190	74.8	64	25.2	0	0.0
Alaska	155	97	62.6	58	37.4	0	0.0
American Samoa	0	0		0		0	
Arizona	236	186	78.8	50	21.2	0	0.0
Arkansas	45	43	95.6	2	4.4	0	0.0
California [1]	3,474	1,723	49.6	1,575	45.3	176	5.1
Colorado	150	146	97.3	4	2.7	0	0.0
Connecticut [2]						-	
Delaware	87	64	73.6	23	26.4	0	0.0
District of Columbia	380	309	81.3	71	18.7	0	0.0
Florida	1,726	833	48.3	883	51.2	10	0.6
Georgia [3]	-						
Guam	0	0		0		0	
Hawaii	12	12	100.0	0	0.0	0	0.0
Idaho	30	12	40.0	23	76.7	-5	-16.7
Illinois	1,156	916	79.2	240	20.8	0	0.0
Indiana	1,534	1,170	76.3	40	2.6	324	21.1
lowa [3]	-					-	
Kansas	169	141	83.4	27	16.0	1	0.6
Kentucky [4]	106					106	100.0
Louisiana	30	28	93.3	2	6.7	0	0.0
Maine	106	97	91.5	9	8.5	0	0.0
Maryland	943	491	52.1	452	47.9	0	0.0
Massachusetts	647	646	99.8	1	0.2	0	0.0
Michigan [5]	949	329	34.7	620	65.3	0	0.0
Minnesota	506	333	65.8	173	34.2	0	0.0
Mississippi	3	3	100.0	1	33.3	-1	-33.3
Missouri	301	301	100.0	0	0.0	0	0.0
Montana	61	56	91.8	5	8.2	0	0.0
Nebraska	81	80	98.8	1	1.2	0	0.0
Nevada	222	221	99.5	1	0.5	0	0.0
New Hampshire	86	85	98.8	1	1.2	0	0.0
New Jersey	9,333	9,269	99.3	55	0.6	9	0.1
New Mexico [6]	131	83	63.4	48	36.6	0	0.0
New York	3,088	1,637	53.0	1,424	46.1	27	0.9



	Total	FWABs	Counted	FWABs I	Rejected	FWABs Not	Categorized
State	FWABs Received	Total	% of Total Received	Total	% of Total Received	Total	% of Total Received
North Carolina	921	910	98.8	11	1.2	0	0.0
North Dakota	29	29	100.0	0	0.0	0	0.0
Northern Mariana Islands [7]	-		-	-	-		-
Ohio [8]	789	466	59.1	313	39.7	10	1.3
Oklahoma	207	162	78.3	45	21.7	0	0.0
Oregon [3]							-
Pennsylvania	242	235	97.1	7	2.9	0	0.0
Puerto Rico	0	0		0		0	-
Rhode Island [9]	-	-					-
South Carolina [3]							
South Dakota	14	12	85.7	2	14.3	0	0.0
Tennessee	456	232	50.9	224	49.1	0	0.0
Texas	2,839	912	32.1	1,925	67.8	2	0.1
U.S. Virgin Islands [10]							-
Utah [2]	-	-	-	-	-	-	
Vermont [11]							-
Virginia [12]	448	448	100.0	0	0.0	0	0.0
Washington	898	894	99.6	4	0.4	0	0.0
West Virginia	45	39	86.7	6	13.3	0	0.0
Wisconsin [13]	137	56	40.9	48	35.0	33	24.1
Wyoming	1	1	100.0	0	0.0	0	0.0
U.S. Total	33,027	23,897	72.6	8,438	25.6	692	2.1

UOCAVA Table 4 Calculation Notes:

Total FWABs Received uses question B23a.

FWABs Counted, Total uses question B24a.

FWABs Counted, % uses question B24a divided by question B23a.

FWABs Rejected, Total uses the sum of questions B25a, B26a, and B27a.

FWABs Rejected, % uses the sum of questions B25a, B26a, and B27a, all divided by B23a.

FWABs Not Categorized, Total uses question B23a minus the sum of questions B24a, B25a,B26a, and B27a.

FWABs Not Categorized, % uses question B23a minus the sum of questions B24a, B25a, B26a, and B27a, all divided by question B23a.

UOCAVA Table 4 Data Notes:

General Notes:

- Casewise deletion at the state level was used in calculating national percentages. The percentage
 calculations at the national level (U.S. Total) only used data from those states that provided data
 for the numerator and denominator of the calculation.
- Negative numbers in the Not Categorized FWABs category indicate that the sum of counted and rejected FWABs account for more than the total number of FWABs received as reported by the state.
- The EAVS tracks data on FWABs that were rejected because they were received after the ballot receipt deadline (B25), because the voter's regular absentee ballot was received and counted (B26), and for other reasons (B27).
- [1] In California, a large number of FWAB rejections occurred because regular vote-by-mail ballots were already returned and counted for the same voter, and because of missing signatures, incomplete information, or receipt after deadline.
- [2] Connecticut and Utah reported that data on items related to FWABs were not available.
- [3] Georgia, Iowa, Oregon, and South Carolina reported that data on items related to FWABs were not available because FWABs cannot be distinguished from regular UOCAVA absentee ballots.
- [4] Kentucky reported that data on items related to counted and rejected FWABs were not available. This state also noted in a survey comment that "[R]eject reason not tracked."
- [5] Michigan noted in a survey comment that "[A]II FWABs received were either counted, received a regular ballot that was counted, or arrived late."
- [6] In New Mexico, the reason for rejection is not tracked by counties at this time.
- [7] The Northern Mariana Islands reported that data on items related to FWABs were not available, with a survey comment that "[T]he election statute does not allow for Federal Write-in Absentee Ballot."
- [8] Ohio noted for multiple counties that the "[T]otal in B23a does include B26a. Source information [for military/overseas voters] for B26a is not tracked. Because of this, B23b + B23c will not always equal B23a."
- [9] Rhode Island noted in a survey comment that "[A]ccording to RI general law all UOCAVA mail ballots are consolidated into one mail ballot category."
- [10] The U.S. Virgin Islands reported that data on items related to FWABs were not available.
- [11] Vermont reported that data on FWABs were not available.
- [12] Local election officials in Virginia do not enter information relating to rejected FWABs into the state's central system and only enter information on FWABs that are accepted and counted.
- [13] In Wisconsin, many jurisdictions track the return of ballots received after Election Day but are not required to do so. The counts reported in "Total number of FWABs rejected because it was received after the ballot receipt deadline" [B25a] are limited to ballots in jurisdictions that recorded these in the statewide database.



Chapter 5. Survey Methodology and Procedures

Since 2004, the U.S. Election Assistance Commission (EAC) has conducted the Election Administration and Voting Survey (EAVS) following each federal general election. The project collects data on election policies, voter registration, voting by individuals covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), mail voting, in-person voting, poll workers and polling places, provisional voting, election technology, and turnout. All U.S. states, U.S. territories, and the District of Columbia are included in the EAVS.¹ The EAVS helps the EAC meet its mandate under the Help America Vote Act (HAVA) to serve as a national clearinghouse and resource for the compilation of information and the review of procedures with respect to the administration of federal elections.

The EAVS collectively consists of two surveys administered separately: The Election Administration Policy Survey (Policy Survey), which collects data on state election policies and procedures, was administered from August to December 2020. The information collected through the Policy Survey helps provide context to the data reported through the EAVS. The EAVS, which collects data about registrations, voters, and ballots in the 2020 general election, was administered from December 2020 to July 2021. The data collected through the EAVS allow states to satisfy their data reporting requirements established by the National Voter Registration Act (NVRA) and UOCAVA and provide a detailed snapshot of how general elections are administered in the United States every two years.

This report relies on EAVS data submitted and certified by 50 states, the District of Columbia, and five U.S. territories. Data for each state were collected at the jurisdiction level, with 6,460 of the 6,460 jurisdictions nationwide (100%) submitting at least partial data in 2020.² Appendix A of this chapter shows the number of jurisdictions and the response rate by state (overall and for each section of the EAVS).

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¹ Throughout this report, unless otherwise specified, the term "state" can be understood to apply to the 50 U.S. states, the District of Columbia and five U.S. territories (American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands) that submit Election Administration Policy Survey and EAVS data. Puerto Rico provides EAVS data only in presidential election years, as it does not hold elections for federal candidates in midterm election years. American Samoa did not participate in the 2016 EAVS. The Northern Mariana Islands participated in the EAVS for the first time in 2020.
² What constitutes a jurisdiction for EAVS reporting is defined by how each state chose to provide data. For the 2020 EAVS, most states reported data on the county level (or county equivalent, such as parishes for Louisiana). Illinois, Maryland, Missouri, and Virginia reported data for independent cities in addition to counties. The territories, the District of Columbia, and Alaska each reported as a single jurisdiction. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and Wisconsin reported data on the township level. Maine also reported its UOCAVA data in Section B as a separate jurisdiction, because this information was only collected at the state level. Michigan reported data for the county level, but most election administration activities take place in the 1,520 local election jurisdictions in the state. See Appendix A in this chapter for a breakdown of the number of jurisdictions reported in each state. Elections for Kalawao County in Hawaii are administered by Maui County; although Kalawao is included as a jurisdiction in the EAVS data, Kalawao's data are included with Maui's data.

Survey Questions

The 2020 Policy Survey consisted of 80 questions (41 required questions, 23 follow-up questions based on a state's responses to the required questions, and 16 optional comments boxes). Of these, 58 were single-select or multiselect questions, 20 were open-ended with a text response, and two were hybrid single-select and text questions.

The 2020 EAVS consisted of 407 questions (217 required, 79 follow-up questions based on a jurisdiction's responses to the required questions, 77 optional questions based on whether a jurisdiction had additional data to provide, and 34 optional comments boxes). Of these questions, 253 were fill in the blank with a numerical response, 37 were item descriptions, 65 were single-select questions, and 52 were open-ended with a text response.

The content of the questions in the EAVS has largely been unchanged since the 2008 survey, although questions are periodically removed, updated, or reordered. The Policy Survey was significantly reorganized in 2018 and was converted to a set of closed-ended questions. The 2020 Policy Survey was significantly revised and expanded from the 2018 survey. The full set of EAVS and Policy Survey questions can be found at https://www.eac.gov/research-and-data/datasets-codebooks-and-surveys.

The following sections detail the data collected by these surveys and the changes that were made to the questions from the 2018 versions. In 2020, the primary changes to the survey questions involved:

- Adding Policy Survey questions that could be used to validate EAVS items.
- Removing a redundant EAVS question, adding one new EAVS question, and adding two subquestions to an existing EAVS question.
- Clarifying instructions to make completion easier for election officials and to improve data quality.

Policy Survey

Since 2008, the EAVS has been accompanied by a survey that collects information on states' election policies and practices to provide greater context for the jurisdiction-level data collected through the EAVS. This originally took the form of the Statutory Overview, which consisted of openended questions on statutory requirements for various parts of the election process, asking states to report information on their election laws and policies. However, the open-ended format made it difficult to interpret states' statutory language, identify patterns in election practices, and draw meaningful comparisons between states.

Beginning with the 2018 EAVS, the Statutory Overview was significantly redesigned and renamed the Policy Survey. The survey now uses closed-ended questions and is intended to capture states' broad policies rather than to represent a comprehensive overview of state statutory language. This allows for greater ease in interpreting the results, creating comparisons across states, and providing

context in understanding the EAVS data. The Policy Survey questions are designed to map onto the EAVS data questions so that the two surveys can be used in concert.

The 2020 Policy Survey collected information on election infrastructure; how the state answers the EAVS; voter registration and list maintenance; election technology; mail voting; in-person voting before Election Day; vote centers; UOCAVA voting; provisional voting; election certification, recounts, and audits; voter identification; and how criminal convictions affect voting. The 2020 Policy Survey was significantly revised and expanded compared to the 2018 survey. New additions to the Policy Survey included:

New Question for 2020	Description
Q1, Q1a, Q2, Q2a, Q2b, and Q2c	Information on a state's election infrastructure, including the name, title, and duties of the chief state election official; the names and EAVS responsibilities of state election offices; the names and EAVS responsibilities of local election offices; whether any jurisdictions had been added or consolidated since the 2018 EAVS; and contact information (including the office name, physical address, mailing address, phone number, website, and email address) for all state and local election offices within the state.
Q6a and Q6b	Information on how a state implements its automatic or automated voter registration process, including how individuals could decline to be registered.
Q7b	Features incorporated into a state's online registration system.
Q8	Online voting information search tools available on the state's election website.
Q10	Preregistration of voters before they turn 18 years of age.
Q11, Q11a, Q11b	Whether the state designates certain voters as inactive, and if so, what actions would result in an active voter being designated as inactive and what actions would result in an inactive voter being designated as active.
Q12	Whether state officials, local officials, or both are responsible for modifying or removing voter registration records.
Q13, Q13a	Whether the state sends confirmation notices, whether the confirmation notices are sent pursuant to the NVRA, pursuant to state statute, or formal administrative rule or guidance, and which types of voters are sent confirmation notices.
Q14	What data sources a state uses to identify potentially ineligible voters on their voter registration rolls.
Q15, Q15a	Policy on voting system testing and certification and what type of testing and certification is required.
Q16, Q16a	Whether electronic poll books are used in the state and whether testing and certification for those electronic poll books is required.
Q21	How long a state tracks mailed ballots for inclusion in its EAVS Section C data.
Q22	What types of markings satisfy the state's postmark requirement for mailed ballots.
Q23	Which voters may receive ballots electronically.
Q30	The deadline for overseas UOCAVA voters to return their ballots. This question was designed to match a question on domestic military UOCAVA voters that had been in the 2018 Policy Survey but was renumbered and redesigned for 2020 (Q29).

New Question for 2020	Description
Q31	Whether UOCAVA ballots have different postmark requirements for mailed ballots.
Q32, Q32a, Q32b	Whether the state uses provisional ballots, and if so, what circumstances warrant a voter being provided a provisional ballot and the deadline for adjudicating provisional ballots.
Q33	State's election certification deadline.
Q35a	What type(s) of audits a state conducts.
Q36a	Deadline for a voter to present valid identification if they do not have identification at the polls and must take further action to prove their identity.

Questions that were significantly revised from the 2018 Policy Survey included:

Significantly Revised from 2018	Description
Q5	Government entities that transmit data to the centralized state database. This question had been Q3 and Q4 in 2018. For 2020, this question was collapsed from three to two subcategories, including a binary yes/no question on whether the government entity transfers data and a single-select, follow-up question with how frequently the data transmission occurs.
Q6	Whether the state registers individuals to vote automatically or via an automated process. This question had previously been Q5 in 2018. The 2020 question clarified the definition of "automatically" and "automated process," provided examples of automated processes, and included a space for comments.
Q6a	Which state agencies participate in automatic or automated voter registration. This question had previously been Q5a in 2018. In 2020, this was changed to a multiselect question with additional answer options that better align with state practices.
Q7	Whether the state has online registration. This question had previously been Q6 in 2018. The 2020 question clarified the definition of online registration and added an answer option for states that could only process registration updates through online registration.
Q7a	Whether a registrant needed a state-issued form of identification in order to register online. This question had previously been Q6a in 2018. The 2020 question clarified that any state-issued identification, not just driver's licenses, would apply to this question.
Q9	Whether a state has same-day voter registration (SDR). This question had previously been Q7 in 2018. The 2020 question included a clarification that an overlap between the availability between the mail balloting period and the close of voter registration should not be considered SDR.
Q9a	The type of SDR offered by the state. This question had previously been Q7 in 2018. The 2020 question was changed from a single-select question to a multiselect question.



Significantly Revised from 2018	Description
Q20	Deadlines for mail voters to return their ballots. This question had previously been Q11 in 2018. The 2020 question restructured the answer options to provide greater clarity, eliminated the answer option for mailed ballots postmarked after Election Day, and included a comments section.
Q24	Types of in-person early voting permitted in a state. This question had previously been Q12 in 2018. The 2020 question asked for what terminology a state used to describe in-person early voting and clarified that hand delivery of mailed ballots by voters should not be considered early voting.
Q24a	Whether an excuse was required for early voting. This question had previously been Q12a in 2018. The 2020 question was updated to match the wording of Q24.
Q25	Whether a state used vote centers. This question had previously been Q13 in 2018. The 2020 question clarified that polling locations that function as a vote center, even if the terminology is not the same, should be included in this question.
Q26	Which Federal Post Card Application (FPCA) submission methods are permitted in the state. This question had previously been Q14 in 2018. The 2020 question clarified that postal mail does not need to be specified, as this mode of submission is required in all states.
Q27	Whether FPCA registration is permanent or temporary. This question had previously been Q15 in 2018. The 2020 question included updated wording to clarify that it applies to how long an FPCA registers a person as a UOCAVA voter.
Q28	How long a voter remains eligible to receive a UOCAVA ballot after registering with an FPCA. This question had previously been Q15 in 2018. The 2020 question provided more extensive answer options.
Q29	Deadline for domestic military UOCAVA voters to return their ballots. This question had previously been Q17 in 2018. The 2020 question was revised to match the format of Q20, which collects data on the deadline for voters to return mailed ballots, and the instructions were updated to specify that the question applies to domestic military UOCAVA voters rather than all UOCAVA voters.
Q32c	How a state would handle a provisional ballot cast in the wrong precinct. This question had previously been Q18 in 2018. The 2020 question included an instruction about the definition of a partially counted provisional ballot.
Q34	Reasons for conducting post-election recounts of ballots. This question had previously been Q19 in 2018. The 2020 question added a definition of "election recount" and included updated answer options.
Q35	Statutory requirements for audits. This question had previously been Q20 in 2018. The 2020 question included revised terminology, a definition of "audit," and the addition of an answer option for other types of post-election tabulation audits.
Q36	Voter identification requirements for non-first-time voters. This question had previously been Q21 in 2018. The 2020 question included additional answer options and clarified that non-government, non-photo identification options could include proof of residence.
Q37	Which populations become ineligible to vote because of disqualifying criminal convictions. This question had previously been Q22 in 2018. The 2020 question included revised question wording and was changed to a multiselect question.

Significantly Revised from 2018	Description
Q37a	How long people with disqualifying felony convictions lose their ability to vote. This question had previously been Q23 in 2018. The 2020 question was changed to a multiselect question, added an answer option for payment of outstanding fines, and the answer options were reworded to be mutually exclusive.
Q37b	How people with disqualifying felony convictions can have their voting rights restored. This question had previously been Q24 in 2018. The 2020 question was changed to a multiselect question, the wording of the answer options was clarified, and a comment section was added.

The following questions had no change except for renumbering and, for some, the addition of a comment section:

2020 Numbering	2018 Numbering	Description
Q3	Q1	How the state answers the EAVS.
Q4	Q2	Whether the state has a top-down, bottom-up, or hybrid voter registration database.
Q4a	Q2a	How often bottom-up or hybrid databases transmit information to the state voter registration database.
Q17	Q8	Whether an excuse is required for mail voting.
Q18	Q9	Whether the state, or any jurisdiction within the state, conducted an all-vote-by-mail election for the November 2020 general election.
Q18a	Q9a	Whether the all-vote-by-mail system was used statewide or only in certain jurisdictions for the 2020 general election.
Q19	Q10	Whether permanent mail voting is permitted.
Q19a	Q10a	Which voters are permitted to register as permanent mail voters.
Q25a	Q13a	How vote centers operate within the state.

The 2018 Policy Survey questions on audits of polling place procedures, audits of voting machines, and types of ballots audited were removed for 2020.

Section A: Voter Registration

Section A of the EAVS collects data on voter registration. This includes the number of persons registered and eligible to vote in the November 2020 general election, active and inactive voters, voters who used SDR, registration forms processed between the close of registration for the 2018 general election and the close of registration for the 2020 general election, confirmation notices sent pursuant to the NVRA, and voters removed from the voter registration rolls.

In 2020, changes to this section included the addition of sub-questions on the number of SDRs received on Election Day (A2b) and before Election Day (A2c), in addition to the total provided in A2a. The instructions in this question were also revised to clarify that all SDRs received for the 2020 general election should be reported. In addition, the instructions for A4–A7 were revised to clarify that online voter registrations reported in A4c, A5c, A6c, and A7c should only include registration forms that were completed and submitted through a web-based online registration form system and that SDRs should be categorized according to the mode used to submit the registration application. The instructions for A8 were revised to include a more accurate definition of the term "confirmation notice" and to clarify that notices sent between the close of registration for the November 2018 general election and the close of registration for the November 2020 general election should be reported in this question.

Section B: UOCAVA

Section B of the EAVS collects data on voters covered by UOCAVA. This includes the number of registered UOCAVA voters; FPCAs received and rejected; UOCAVA ballots transmitted, returned, counted, and rejected; and Federal Write-In Absentee Ballots (FWAB) received, counted, and rejected. Most questions in Section B were divided by type of voter (uniformed services members and overseas citizens) and by method of ballot transmission and return (postal mail, email, and other).

In 2014, the UOCAVA section of the EAVS was expanded to include questions from the Federal Voting Assistance Program's (FVAP) Post-Election Quantitative Survey. The goal of combining surveys was to reduce the burden on election officials by asking them to answer a single set of questions about UOCAVA voting rather than answering two surveys that captured many of the same data points. The current format of Section B is the result of a memorandum of understanding between the EAC and FVAP that allows both agencies to collect, share, and evaluate data on the voting experiences of citizens covered under UOCAVA and to fulfill their congressionally mandated requirements to study UOCAVA voters.

In 2020, changes to this section included the addition of question B27. Previously, the questions in the EAVS relating to FWABs only asked for data on FWABs rejected from being received after the ballot receipt deadline or because the voter's regular absentee ballot was received and counted. The addition of B27 allows states to report data on FWABs rejected for other reasons, in total (B27a), for uniformed services voters (B27b), and for overseas citizen voters (B27c). A space was also provided to collect a description of the reasons the FWABs reported in B27 were rejected. In addition, the instructions for question B8 were updated to clarify that ballots transmitted by "other mode" could include fax and online ballot delivery portals.

Section C: Mail Voting

Section C of the EAVS collects data on mail voting. This includes the number of mailed ballots transmitted, returned, counted, and rejected, as well as the number of ballots sent to permanent mail voters.

In 2020, changes to this section included a clarification to the instructions of C1 that all mailed ballots transmitted for the November 2020 general election should be included in this question, and a clarification to the instructions of C2 that ballots transmitted in an all-vote-by-mail state or jurisdiction should not be included in the count of mailed ballots transmitted to permanent absentee voters.

Section D: In-Person Voting and Polling Operations

Section D of the EAVS collects data on in-person voting. This includes the number of ballots cast through in-person voting before and on Election Day, the number of precincts and polling places, and the number of poll workers and the level of difficulty involved in recruiting poll workers. This section was previously called "Total Votes Cast and In-Person Voting" and was renamed in 2020 to reflect the removal of a redundant question about the total votes cast and to better align with the section's focus on in-person voting and the polling operations to support in-person voting.

The removal of the 2018 question on total votes cast caused the questions in Section D to be renumbered. The removed question on total votes cast was redundant with question F1a on the number of votes cast and counted. In addition, the instructions in questions D5–D7 were updated to clarify the definition of a poll worker and to specify how poll workers should be counted. The instructions for D6 were updated to specify that each early voting poll worker should be counted once regardless of how many early voting shifts they worked, and the instructions for D7 were updated to specify that each poll worker should be counted only once, regardless of how many shifts they worked.

Section E: Provisional Ballots

Section E of the EAVS collects data on provisional voting, including provisional ballots submitted, provisional ballot adjudication, and reasons for rejection.

In 2020, changes to this section included a clarification of the instructions in E1b-d that the number of provisional ballots submitted should be recorded. A definition of provisional ballots counted in part was added to the instructions of E1c.

Section F: Voter Participation and Election Technologies

Section F of the EAVS collects data on voter participation and election technologies. This includes total participation in the 2020 general election, how many ballots were cast and counted by mode of participation, the source of participation data, use of electronic and paper poll books, voting equipment used, and the location where votes are tallied. Respondents were also provided the opportunity to share general comments regarding their state's or jurisdiction's Election Day experiences, noteworthy successes, and challenges they overcame when administering the November 2020 general election.

In 2020, changes to this section included a clarification of how participation should be counted in question F1. The 2018 question collected data on the number of voters who participated; this instruction was updated for 2020 to clarify that voters who cast a ballot that was counted should be

reported in this question. In addition, question F1e removed the instruction that provisional voters who were given credit in their vote history should be included in this question. The instructions for question F8 were updated to include a more complete description of scanners.

Data Collection Procedures

In compliance with the Paperwork Reduction Act of 1995, the EAC submitted the questions for the 2020 Policy Survey and the EAVS for review by the Office of Management and Budget (OMB) and for public comment. Public comments were collected from October 8, 2019, to December 6, 2019, and from February 11, 2020, to March 12, 2020. The questions were approved under OMB Control No. 3265-0006, expiration date March 31, 2023. The survey questions were made available publicly on the EAC's website on July 8, 2020. Targeted communications with state points of contact (POC) responsible for completing the surveys began on July 7, 2020, and continued regularly throughout the data collection period. These targeted communications aimed to keep states aware of data collection deadlines and resources available to assist them with completing the survey.

The following sections describe each aspect of the EAVS data collection process in more detail.

Needs Assessment

To better understand how state-level officials respond to the EAVS and where they need support, the EAC undertook a systematic assessment of the needs of EAVS POCs in October and November 2019. The goal of these interviews was to better understand each state's EAVS reporting process (including how data is collected, which templates are used, the state's use of technical assistance resources, and data quality) and how improvements could be made to the 2020 EAVS. All state POCs that completed the 2018 EAVS were invited to participate and interviews with 34 states were completed. The EAC created semi-structured interview guides for each participant that also left room for the moderator to probe further.

The information collected through these needs assessment conversations helped the EAC's outreach plan design, shaped the training opportunities provided to each state, and identified states that needed specialized support to complete the EAVS. Based on these conversations, the EAC made improvements to the design and usability of the data collection templates, added supplementary instructions to clarify how respondents were to use the missing data codes in the survey, and released the EAVS data collection templates earlier than in previous years to afford POCs more time to compile their data submissions. During these needs assessment calls, the EAC also encouraged state POCs to review and provide comments on the draft 2020 survey questions, which at the time were available on the Federal Register.

Policy Survey

Invitations to complete the 2020 Policy Survey were sent to all 56 states, territories, and districts on August 3, 2020. The Policy Survey data are collected in advance of EAVS data collection to reduce respondent burden and to allow the EAC to create data validation rules for the EAVS data. The Policy Survey was completed through an online survey; this survey had undergone usability testing with POCs from nine states and territories in June and July 2020, and edits to the survey based on the

results of this testing were completed in advance of the survey's launch.³ Periodic reminders were issued to POCs during the data collection period. All 56 states, territories, and districts submitted their Policy Survey data by December 15, 2020. When the answer options within a question did not fully capture a state's policy, POCs were encouraged to provide comments with further explanation.

The 2020 Policy Survey had a series of questions about the contact information of state and local election offices. The EAC collected this contact information from state election websites and official registers in May and June 2020. This information was pre-populated into the online Policy Survey data collection tool and was provided to POCs to review and correct as they completed the Policy Survey. Because this data contains personally identifiable information (PII), it is not part of the public data release.

Once received, each Policy Survey submission was reviewed for completeness. Through these reviews and through further reviews conducted once each state's EAVS submission was received, the EAC made Policy Survey corrections for 37 states before the end of the EAVS data collection period.

For the first time, the EAC incorporated a state's Policy Survey submission directly into the EAVS data collection template validations in 2020. This means that a state's 2020 EAVS data collection templates could not be released until the state's Policy Survey submission was finalized.

EAVS

The EAVS data collection period was opened to 46 states on November 9, 2020. The data collection was opened to the 10 remaining states once their Policy Survey submissions were received and their templates were finalized; all data collection templates were released to states by December 18, 2020. The EAVS data collection period ended in July 2021. Data submissions from all 56 states were received by that date, with a response rate of 100% of states. After providing final data, states' chief election officials certified their Policy Survey and EAVS as complete and correct to the best of their knowledge.

To build on the needs assessment conversations that were completed in October and November 2019, the EAC completed pre-survey outreach calls with officials from states that had new designated POCs for the 2020 EAVS or that had requested further follow-up after the needs assessment calls. Fifteen states were invited to participate in the outreach calls, and 10 states completed calls in August of 2020. During these interviews, the EAC provided an overview of the project timeline and the types of data collected in the Policy Survey and the EAVS, notified the POCs of the help desk support and other resources that would be provided as part of the 2020 EAVS, probed POCs on data issues from the 2018 EAVS, and whether the ongoing COVID-19 pandemic was impacting the state's election policies or could affect its ability to submit EAVS data in a timely

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³ Fifty-three states completed the Policy Survey via the online survey. Three states completed the survey via a paper instrument; for these states, the Policy Survey technical assistants entered the data from the paper instrument into the online survey and asked the state to review for accuracy and submit the data.

manner. These conversations helped ensure that the EAC was prepared to provide adequate support to states as they completed their EAVS data collection.

Data Collection Templates

Given the diversity in how states respond to the EAVS, creating data templates that accommodate the needs of all states and all local jurisdictions is especially challenging. The 2020 EAVS data were collected using two data collection templates:

- The Excel template was a flat data format that allowed POCs to copy and paste large amounts
 of data, such as from a report generated from the state's centralized election database. Each
 EAVS item was listed in a column in the Excel template and each EAVS jurisdiction within the
 state was listed in a row. States with multiple jurisdictions were required to submit their data
 through the Excel template.
- The online template was an item-by-item survey hosted online that guided respondents
 through entering their responses. This template was primarily intended to be used by
 jurisdictions that entered EAVS data, although some states entered data into the online
 template on behalf of some or all of their jurisdictions. The data from the online template was
 exported to an Excel file that matched the format of the Excel data collection template.

Usability testing of the draft online template was completed with nine local election officials between July and August 2020, and edits to the survey based on the results of this testing were completed in advance of the online template's launch.

The EAC pre-populated data into the online template for four states and into the Excel template for one state. Pre-fill data was provided by state POCs via the Excel template or via an email or phone request that provided detail on which items were to be populated.

Both data collection templates employed a variety of error-checking data validations to reduce response burden and to increase data quality.

Data Validation

One of the key issues associated with any data collection project is ensuring that the data collected are as accurate as possible. Given the number of survey questions, their complexity and granularity, and the variety of approaches in how state and local jurisdictions provide responses, it can be easy to make data entry mistakes or report data in an incorrect survey item. All 2020 EAVS data collection templates included built-in internal and external validation checks that flagged specific types of potential errors within a data submission.

The validation checks were designed to flag common data issues so that respondents were aware of them before submitting their data to the EAC. In response to these validations, states and jurisdictions were encouraged to review their data, correct it if needed, and use the comments fields to explain any peculiarities and give context to the data that were being reported.

In addition, once a state submitted data for review by the EAC, additional data reviews were conducted by trained data analysts. These reviews checked for missing data, internal math and logic issues, conflicts with Policy Survey responses, and significant changes compared to 2016 EAVS data.⁴ The results of this review were provided to state POCs in a written memo, along with a file that had sample rates and percentages calculated using their draft submission. These sample rates and percentages were provided to assist POCs with identifying results that did not align with their expectations, so they could be corrected in the final submission.

A complete list of all validation checks that were built into the data collection templates and additional data validations that were conducted for draft submissions can be found in Appendices B and C of this chapter. In general, there were five types of data validations.

Math Validations

Many items in the EAVS asked respondents to report a total and then divide that total into subcategories. The math validations within the templates checked that the sum of the subcategories equaled the reported total of the overall category. For example, if the total number of voters who cast a ballot that was counted in the 2020 general election did not match the sum of the number of voters who used different modes of voting, then the respondent was asked to review the numbers reported in these items.⁵

Logic Validations

Logic validations identified when a value in the survey was incompatible with a response provided in another related question in the survey. For example, if the number of mailed ballots counted by a jurisdiction exceeded the number of mailed ballots that had been returned by voters, then the respondent was asked to review these items.⁶

Policy Survey Validations

These validations identified instances in which an EAVS item conflicted with the Policy Survey data that had been submitted by the state. For example, if a state reported having an online voter registration system through which an individual could submit a voter registration application, but reported "does not apply" to EAVS items relating to the number of voter registration forms submitted through online sources, then the validations would highlight that a conflict existed between the respondent's EAVS and Policy Survey data and would ask the respondent to review the EAVS items and contact the EAC if the Policy Survey response needed to be updated.⁷

⁴ The 2016 EAVS was used as a point of comparison in the data reviews, because it was the most recent presidential election.

⁵ The total number of voters participating in the 2020 general election was reported in item F1a in the 2020 EAVS. The number of voters who participated using different modes of voting were items F1b through F1h.

⁶ The number of mailed ballots counted by a jurisdiction was reported in item C3a in the 2020 EAVS. The number of mailed ballots returned by voters was reported in item C1b.

⁷ Data on states' policies regarding online voter registration were reported in item Q7 in the Policy Survey. The number of total, new, duplicate, and rejected registrations received through online registration systems were reported in items A4c, A5c, A6c, and A7c, respectively, of EAVS.



Missing Items

With the exception of comment boxes and "other" subcategories for reporting data beyond what was specified in a question, all items in the EAVS required a response. An alert appeared if a response to a required item was not provided. For example, if a respondent reported the total number of registered voters in their jurisdiction but not the number of active and inactive registered voters, the latter items would be flagged with a request that the respondent should report "does not apply" (if their state does not have an applicable law or policy), "data not available" (if the data for an item is not tracked), or zero (if no instance of an item occurred) rather than leave the item blank.8

Valid Skips

For the first time, in 2020, the EAC introduced a valid skip code to the EAVS data. This code was automatically filled in by the template validations when an item did not require an answer because of a response to a previous item in the survey. The use of the valid skip code is distinct from the use of the "does not apply" code (for when a jurisdiction does not have a law or policy in place that allows for the type of election participation in the question) and the "data not available" code (for when the data for a type of election participation is not tracked). For instance, if a jurisdiction indicated in EAVS question F5a that it did not use direct-recording electronic (DRE) voting machines without a voter-verified paper audit trail (VVPAT), then items F5b through F5d, relating to the make and model of equipment, the number deployed, and the usage of the equipment, were filled as "valid skip" by the template validations.

Technical Assistance

Technical assistance was provided through the duration of the Policy Survey and the EAVS data collection periods. Help desk support was provided for 20 hours each week from August 3, 2020, to December 31, 2020, and for 50 hours each week from January 4, 2021, to March 30, 2021. State and local EAVS respondents could request assistance via email or phone. A team of trained technical assistants provided support on all aspects of the survey data collection processes. A total of 812 support tickets were received from all 56 states, territories, and districts. The most common inquiries were related to accessing the data collection templates, re-opening online templates that had been submitted prematurely, how data transferred between the online template and the Excel template, and questions about survey definitions (including SDR, how to classify registration forms in questions A3–A7, and what types of voting should be counted as in-person early voting for purposes of EAVS).

After the first round of EAVS data was collected in March 2021, a group of subject matter experts (SME) from the EAC conducted an extra quality control review via video conference. All states and territories were invited to participate and 51 out of 56 participated. The extra quality check was necessary due to the new voting options throughout the country for the 2020 general election and due to challenges caused by the COVID-19 pandemic. Thirty-eight of the states and territories that were interviewed requested data changes or added/amended footnotes to this report.

⁸ The total number of registered voters for the 2020 general election was reported in item A1a in the EAVS. The number of active registered voters was item A1b. The number of inactive registered voters was item A1c.

Resources for EAVS Respondents

In addition to providing direct, customized technical assistance, the EAC made a wide variety of written and video training resources available to survey respondents on demand. A website was established to house these resources and to provide a secure place for state EAVS POCs to upload data submissions and other documents for the EAC to review.

The resources on this website included PDF copies of the Policy Survey and EAVS questions; a link to the online template; six videos that outlined the questions and instructions in the six sections of the EAVS; three video webinars that provided guidance on the overall EAVS process, on collecting data from local jurisdictions, and for state POCs new to EAVS data collection; eleven newsletters that were released between August 2020 and March 2021; an extensive user guide that provided step-by-step instructions for both data collection templates; a policy guide approved by the EAC Commissioners that provided information to election officials responsible for completing EAVS; and an Excel crosswalk that documented survey changes from 2018 to 2020.

The website also contained a section that was restricted to state POCs. This section had copies of the state's 2016 and 2018 EAVS and the state's Statutory Overview or Policy Survey data available for download, a table that tracked the online template progress for each jurisdiction within the state, and the capacity for POCs to upload files for the EAC to review.

Data Reporting and Calculations

In 2020, most EAVS data were reported at the local jurisdiction level. For the purposes of this report, for states that have multiple jurisdictions, state totals were calculated by summing the data from all jurisdictions within a state. National totals were calculated by summing the state-level totals.

Whenever possible, this report uses percentages and rates rather than raw numbers to make comparisons across states and across election years. For these calculations, items were combined as necessary to create the numerator and denominator and to produce a percentage or rate. For example, the following formula was used to calculate the percentage of transmitted mailed ballots that were returned by voters for the 2020 general election:

$$\frac{\textit{Total number of mailed ballots returned by voters (C1b)}}{\textit{Total number of mailed ballots transmitted by election of fices (C1a)}} \times 100$$

Percentages at the national level were calculated using casewise missing data deletion at the state level. Only states that had data for both the numerator and denominator for a calculation were included when reporting percentages at the national level. Responses of "does not apply," "data not available," and "valid skip" were considered missing for purposes of creating these calculations. Casewise deletion was used in the analysis for this report to avoid overinflating the denominator of the calculations. This is especially applicable when states do not track data for a particular item, or when election policy differences mean that not all states can provide data for an item. For example, online registration is not available in every state, so the calculation of the nationwide percentage of registrations that were received online will only use data from states that reported at least one online

registration. Otherwise, the national percentage would include in the denominator (in this case, the total number of registrations received) data from states that do not have online registration, thus underestimating the percentage of online registrations that were received.⁹

This decision rule means that there were instances in which the percentages reported at the national level for a given calculation in this report did not use data from every state. Because each category was calculated independently of others and only states that reported data in both the numerator and the denominator were included in the analysis, casewise deletion also created instances in which percentages do not sum to 100%. Those cases in which data were not available for every state to calculate the percentage at the national level are noted in the footnotes throughout this report.

Recommendations for Analyzing and Interpreting the EAVS Data

The most up-to-date version of the 2020 EAVS and Policy Survey data can always be found on the EAC's website (https://www.eac.gov/research-and-data/datasets-codebooks-and-surveys). If the EAC is notified by a state of an error or omission in the state's data, the agency will issue the updated EAVS and Policy Survey data sets on its website with an errata note of changes that have been made to the newly issued data sets. Updated data sets will be issued on a quarterly basis.

There are four types of data missingness codes used in the 2020 Policy Survey and EAVS data:

- Valid skip (-77): This code indicates that no response is expected based on a previous survey response. For instance, in the Policy Survey, if a state answered "no" to Q7 to indicate that it does not provide an option for voters to register to vote online, then items Q7a and Q7b, which collect further information on the specifics of a state's online registration system, would be marked as -77. In the EAVS, if a state indicates in item A4c, the total number of registration forms submitted online, that this question does not apply, then items A5c, A6c, and A7c, which collect data on new, duplicate, and rejected registrations submitted online, would be marked as -77.
- Does not apply (-88): This code indicates that a question does not apply to a state, because the state does not have an applicable policy in place. For instance, a response of -88 in item A4c of the EAVS indicates that the state does not have online registration.
- Data not available (-99): This code indicates that the data for an item cannot be tracked. For
 instance, a response of -99 in item A4c of the EAVS indicates that the state accepts online
 voter registrations but cannot track the number of these registrations that were submitted by
 voters.
- Refused (-100): This code indicates that a response was expected but was not provided. This
 code is only used in the Policy Survey data.

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⁹ The total number of registration applications received between the close of registration for the 2018 general election and the close of registration for the 2020 general election was collected in item A3a. The total number of registration applications received online between the close of registration for the 2018 general election and the close of registration for the 2020 general election was collected in item A4c. The application of casewise deletion means that only states that reported at least one registration in both of these items on a statewide level were included in the calculation of the percentage of registration applications received through online sources.

When summing the EAVS data, either on a state or a national level, analysts should take care to treat these missingness codes as missing items and not as negative numbers.

Users of the EAVS data are also encouraged to refer to the comments that accompany all of the EAVS items and many of the Policy Survey items. During data collection, the EAC encouraged all respondents to use these comments to provide context to their responses. In many cases, these comments contain valuable information about how state and jurisdiction respondents formulated their responses, why some responses do not align with the data validations outlined in this chapter, or context about how the 2020 general election was conducted in a state or jurisdiction. If data users have further questions about the data that have been submitted, they are encouraged to contact states or jurisdictions directly with further questions.

The EAC also encourages data users to take care when calculating percentages to ensure that the correct EAVS items are used. Appendix D of this chapter contains recommendations for how to calculate EAVS rates using the 2020 data. These recommendations align with how rates were calculated throughout this report.

This report used the 1-year American Community Survey (ACS) state estimates for the 2019 citizen voting age population (CVAP) instead of the 5-year estimate to ensure that the CVAP was as current as possible. The CVAP estimates for 2020 were not available by the time this report was finalized. Once they are released by the U.S. Census Bureau, the 2020 CVAP estimates can be found at https://data.census.gov/. Data analysts should import both the state- and county-level geographies and merge them into the EAVS data using the Federal Information Processing Standards (FIPS) code. For states that have subcounty jurisdictions, these jurisdictions will need to be aggregated at the county level in order to merge in the CVAP data. To For this report, the state-level CVAP was used for Alaska and Puerto Rico, as both reported as a single EAVS jurisdiction. Finally, the Census Bureau does not provide CVAP estimates for the U.S. territories (with the exception of Puerto Rico), so no CVAP estimate was available for American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands.

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¹⁰ These are the states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, and Wisconsin. Additionally, the state of Illinois reported six cities independently of their corresponding counties (i.e., Bloomington, Chicago, Danville, East St. Louis, Galesburg, and Rockford), and Missouri reported Kansas City independently of its corresponding county.



Methodology Appendix A: Survey Response Rates

State	EAVS Response Rate	Section A Response Rate	Section B Response Rate	Section C Response Rate	Section D Response Rate	Section E Response Rate	Section F Response Rate
Alabama	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Alaska	100.0	100.0	100.0	100.0	100.0	100.0	100.0
American Samoa	98.4	100.0	100.0	100.0	100.0	100.0	94.4
Arizona	100.0	100.0	99.9	100.0	100.0	100.0	100.0
Arkansas	90.2	99.5	77.4	83.5	88.1	82.5	97.3
California	99.2	100.0	98.2	99.9	99.8	99.9	98.9
Colorado	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Connecticut	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Delaware	100.0	100.0	100.0	100.0	100.0	100.0	100.0
District of Columbia	99.7	100.0	100.0	100.0	94.7	100.0	100.0
Florida	99.4	100.0	98.7	99.9	99.2	96.4	99.8
Georgia	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Guam	98.1	93.9	100.0	100.0	100.0	100.0	98.9
Hawaii [1]	99.1	100.0	99.5	100.0	100.0	100.0	97.1
Idaho	99.4	98.8	99.0	100.0	100.0	100.0	100.0
Illinois	99.1	99.6	99.7	99.8	99.7	98.6	97.9
Indiana	100.0	100.0	100.0	100.0	99.9	100.0	100.0
Iowa	100.0	100.0	100.0	100.0	100.0	100.0	99.9
Kansas	69.0	67.4	86.8	77.3	62.3	95.9	48.0
Kentucky	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Louisiana	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Maine [2]	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Maryland	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Massachusetts	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Michigan	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Minnesota	100.0	100.0	100.0	100.0	99.9	100.0	100.0
Mississippi	100.0	100.0	100.0	100.0	100.0	100.0	99.9
Missouri	99.8	100.0	100.0	100.0	100.0	100.0	99.4
Montana	99.6	100.0	98.5	100.0	100.0	100.0	100.0
Nebraska	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Nevada	99.8	100.0	99.2	100.0	100.0	100.0	100.0
New Hampshire	99.5	100.0	100.0	100.0	100.0	100.0	98.3
New Jersey	100.0	100.0	100.0	100.0	100.0	100.0	100.0
New Mexico	100.0	100.0	100.0	100.0	99.7	100.0	100.0
New York	97.5	100.0	100.0	99.9	99.7	100.0	91.1
North Carolina	99.9	100.0	100.0	100.0	100.0	100.0	99.7

State	EAVS Response Rate	Section A Response Rate	Section B Response Rate	Section C Response Rate	Section D Response Rate	Section E Response Rate	Section F Response Rate
North Dakota	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Northern Mariana Islands	96.2	100.0	90.0	100.0	94.7	100.0	96.7
Ohio	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Oklahoma	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Oregon	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Pennsylvania	100.0	100.0	100.0	100.0	100.0	100.0	99.9
Puerto Rico	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Rhode Island	100.0	100.0	100.0	100.0	100.0	100.0	100.0
South Carolina	100.0	100.0	100.0	100.0	100.0	100.0	100.0
South Dakota	99.9	100.0	99.8	99.9	98.8	99.8	100.0
Tennessee	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Texas	99.4	100.0	99.6	100.0	100.0	100.0	98.2
U.S. Virgin Islands	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Utah	100.0	100.0	100.0	100.0	100.0	100.0	99.8
Vermont	98.0	100.0	100.0	100.0	100.0	100.0	93.0
Virginia	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Washington	100.0	100.0	100.0	100.0	100.0	100.0	100.0
West Virginia	99.7	100.0	98.8	100.0	99.9	100.0	100.0
Wisconsin	99.7	100.0	100.0	100.0	100.0	100.0	98.9
Wyoming	99.9	100.0	99.6	100.0	99.8	100.0	100.0
U.S. Total	99.1	99.4	99.4	99.4	99.2	99.7	98.2

Survey Response Rate Calculation Notes:

EAVS Response Rate uses responses to all items listed below.

Section A Response Rate uses responses to questions A1a, A1b, A1c, A2a, A2b, A2c, A3a, A3b, A3c, A3d, A3e, A3f, A3g, A3h, A3i, A3j, A4a, A4b, A4c, A4d, A4e, A4f, A4g, A4h, A4i, A4j, A4k, A4l, A5a, A5b, A5c, A5d, A5e, A5f, A5g, A5h, A5i, A5j, A5k, A5l, A6a, A6b, A6c, A6d, A6e, A6f, A6g, A6h, A6i, A6j, A6k, A6l, A7a, A7b, A7c, A7d, A7e, A7f, A7g, A7h, A7i, A7j, A7k, A7l, A8a, A8b, A8c, A8d, A8e, A8f, A8g, A8h, A9a, A9b, A9c, A9d, A9e, A9f, A9g, A9h, A9i, and A9j.

Section B Response Rate uses responses to questions B1a, B1b, B1c, B2a, B2b, B2c, B3a, B3b, B3c, B4a, B5a, B5b, B5c, B6a, B6b, B6c, B7a, B7b, B7c, B8a, B8b, B8c, B9a, B9b, B9c, B10a, B10b, B10c, B11a, B11b, B11c, B12a, B12b, B12c, B13a, B13b, B13c, B13d, B14a, B14b, B14c, B15a, B15b, B15c, B16a, B16b, B16c, B17a, B17b, B17c, B18a, B18b, B18c, B19a, B19b, B19c, B20a, B20b, B20c, B21a, B21b, B21c, B22a, B22b, B22c, B23a, B23b, B23c, B24a, B24b, B24c, B25a, B25b, B25c, B26a, B26b, B26c, B27a, B27b, and B27c..

Section C Response Rate uses responses to questions C1a, C1b, C1c, C1d, C1e, C1f, C1g, C1h, C1i, C2a, C3a, C4a, C4b, C4c, C4d, C4e, C4f, C4g, C4h, C4i, C4j, C4k, C4l, C4m, C4n, C4o, C4p, C4q, and C4r. Section D Response Rate uses responses to questions D1a, D1b, D2a, D3a, D3b, D3c, D4a, D4b, D4c, D5, D6, D7a, D7b, D7c, D7d, D7e, D7f, D7g, and D8.



Section E Response Rate uses responses to questions E1a, E1b, E1c, E1d, E1e, E2a, E2b, E2c, E2d, E2e, E2f, E2g, E2h, E2i, E2i, E2k, E2l, and E2m.

Section F Response Rate uses responses to questions F1a, F1b, F1c, F1d, F1e, F1f, F1g, F1h, F2, F3a, F3b, F3c, F3d, F4a, F4b, F4c, F4d, F5a, F5b_1, F5c_1, F5b_2, F5c_2, F5b_3, F5c_3, F5d_1, F5d_2, F5d_3, F5d_4, F6a, F6b_1, F6c_1, F6b_2, F6c_2, F6b_3, F6c_3, F6d_1, F6d_2, F6d_3, F6d_4, F7a, F7b_1, F7c_1, F7b_2, F7c_2, F7b_3, F7c_3, F7d_1, F7d_2, F7d_3, F7d_4, F7d_5, F8a, F8b_1, F8c_1, F8b_2, F8c_2, F8b_3, F8c_3, F8d_1, F8d_2, F8d_3, F8d_4, F8d_5, F9a, F9c_1, F9c_2, F9c_3, F9d_1, F9d_2, F9d_3, F9d_4, F9d_5, F10a, F10c_1, F10c_2, F10c_3, F10d_1, F10d_2, F10d_4, F11a, F11d_1, F11d_2, F11d_3, F11d_4, F11d_5, F12a, F12b, F12c, F12d, and F12e.

Survey Response Rate Data Notes:

General Notes:

- Response rates are calculated as the percentage of jurisdictional responses within a state that
 were not left blank (i.e., had a numerical response of zero or greater or a response of "data not
 available," "does not apply," or "valid skip").
- Item descriptions and optional survey comments were not included in the response rate calculation.
- [1] Information for Kalawao County, Hawaii was reported with Maui County.
- [2] Maine reported its UOCAVA data on a statewide level, not a jurisdiction level.

Methodology Appendix B: Data Collection Template Validation Rules

Table 1: Math Validation Rules

Validation Rule	Error Text
The sum of A1b + A1c should equal A1a	The sum of active (A1b) and inactive (A1c) registered voters should be equal to the total number of registered voters (A1a).
The sum of A2b + A2c should equal A2a	The sum of SDRs received on Election Day (A2b) and SDRs received prior to Election Day (A2c) should be equal to the total number of SDRs received (A2a).
The sum of A3b-j should equal A3a	The sum of the numbers you report in A3b-j should equal the total number of registration forms you report in A3a.
The sum of A4a-I should equal A3a	The sum of the numbers you report in A4a-I should equal the total number of registration forms you reported in A3a.
The sum of A5a-I should equal A3b	The sum of the numbers you report in A5a-I should equal the total number of registration forms you reported in A3b.
The sum of A6a-I should equal A3d	The sum of the numbers you report in A6a-I should equal the total number of registration forms you reported in A3d.
The sum of A7a-I should equal A3e	The sum of the numbers you report in A7a-I should equal the total number of registration forms you reported in A3e.
The sum of A5a + A6a + A7a should not exceed A4a	The amounts you report in A5a, A6a, and A7a should not exceed the total number of registration forms received by mail, fax, or email you reported in A4a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5b + A6b + A7b should not exceed A4b	The amounts you report in A5b, A6b, and A7b should not exceed the total number of registrations in person at the election/registrar's office you reported in A4b. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5c + A6c + A7c should not exceed A4c	The amounts you report in A5c, A6c, and A7c should not exceed the total number of registration forms submitted online you reported in A4c. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5d + A6d + A7d should not exceed A4d	The amounts you report in A5d, A6d, and A7d should not exceed the total number of registration forms received from motor vehicle offices you reported in A4d. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5e + A6e + A7e should not exceed A4e	The amounts you report in A5e, A6e, and A7e should not exceed the total number of registration forms received from public assistance offices you reported in A4e. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5f + A6f + A7f should not exceed A4f	The amounts you report in A5f, A6f, and A7f should not exceed the total number of registration forms received from state-funded agencies you reported in A4f. Please correct your responses or use the comments section to explain why these subitems do not add up.



Validation Rule	Error Text
The sum of A5g + A6g + A7g should not exceed A4g	The amounts you report in A5g, A6g, and A7g should not exceed the total number of registration forms received from armed forces recruitment offices you reported in A4g. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5h + A6h + A7h should not exceed A4h	The amounts you report in A5h, A6h, and A7h should not exceed the total number of registration forms received from other agencies designated by the state but not mandated by the NVRA you reported in A4h. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5i + A6i + A7i should not exceed A4i	The amounts you report in A5i, A6i, and A7i should not exceed the total number of forms received from registration drives from advocacy groups or political parties you reported in A4i. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5j + A6j + A7j should not exceed A4j	The amounts you report in A5j, A6j, and A7j should not exceed the total number of forms received from "Other" sources you reported in A4j. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5k + A6k + A7k should not exceed A4k	The amounts you report in A5k, A6k, and A7k should not exceed the total number of forms received from "Other" sources you reported in A4k. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A5I + A6I + A7I should not exceed A4I	The amounts you report in A5I, A6I, and A7I should not exceed the total number of forms received from "Other" sources you reported in A4I. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A8b-h should equal A8a	The amounts you report in A8b-h should equal the total number of confirmation notices sent to registered voters you reported in A8a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of A9b-j should equal A9a	The amounts you report in A9b-j should equal the total number of voters removed you reported in A9a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B1b-c should equal B1a	The amounts you report in B1b-c should equal the total number of registered and eligible UOCAVA voters you reported in B1a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B2b-c should equal B2a	The amounts you report in B2b-c should equal the total number of FCPAs received from UOCAVA voters you reported in B2a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B3b-c should equal B3a	The amounts you report in B3b-c should equal the total number of rejected FPCAs from UOCAVA voters you reported in B3a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B5b-c should equal B5a	The amounts you report in B5b-c should equal the total number of absentee ballots transmitted to UOCAVA voters you reported in B5a. Please correct your responses or use the comments section to explain why these subitems do not add up.

Validation Rule	Error Text
The sum of B6b-c should equal B6a	The amounts you report in B6b-c should equal the total number of absentee ballots transmitted to UOCAVA voters by postal mail you reported in B6a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B7b-c should equal B7a	The amounts you report in B7b-c should equal the total number of absentee ballots transmitted to UOCAVA voters by email you reported in B7a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B8b-c should equal B8a	The amounts you report in B8b-c should equal the total number of absentee ballots transmitted to UOCAVA voters by other methods you reported in B8a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B6a, B7a, and B8a should equal B5a	The amounts you report in B6a, B7a, and B8a should equal the total number of ballots transmitted to all UOCAVA voters you reported in B5a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B6b, B7b, and B8b should equal B5b	The amounts you report in B6b, B7b, and B8b should equal the total number of ballots transmitted to all uniformed services voters you reported in in B5b. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B6c, B7c, and B8c should equal B5c	The amounts you report in B6c, B7c, and B8c should equal the total number of ballots transmitted to all overseas citizen voters you reported in B5c. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B9b-c should equal B9a	The amounts you report in B9b-c should equal the total number of UOCAVA ballots returned to your office you reported in B9a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B10b-c should equal B10a	The amounts you report in B10b-c should equal the total number of UOCAVA ballots returned to your office by postal mail you reported in B10a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B11b-c should equal B11a	The amounts you report in B11b-c should equal the total number of UOCAVA ballots returned to your office by email you reported in B11a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B12b-c should equal B12a	The amounts you report in B12b-c should equal the total number of UOCAVA ballots returned to your office by other methods you reported in B12a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B10a, B11a, and B12a should equal B9a	The amounts you report in B10a, B11a, and B12a should equal the total number of UOCAVA ballots returned to your office you reported in B9a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B10b, B11b, and B12b should equal B9b	The amounts you report in B10b, B11b, and B12b should equal the total number of transmitted ballots returned by all uniformed services voters you reported in B9b. Please correct your responses or use the comments section to explain why these subitems do not add up.



Validation Rule	Error Text
The sum of B10c, B11c, and B12c should equal B9c	The amounts you report in B10, B11c, and B12c should equal the total number of transmitted ballots returned by all overseas citizen voters you reported in B9c. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B13b-d should equal B13a	The amounts you report in B13b-d should equal the total number of ballots returned undeliverable you reported in B13a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B14b-c should equal B14a	The amounts you report in B14b-c should equal the total number of UOCAVA ballots counted by your office you reported in B14a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B15b-c should equal B15a	The amounts you report in B15b-c should equal the total number of counted UOCAVA ballots returned by postal mail you reported in B15a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B16b-c should equal B16a	The amounts you report in B16b-c should equal the total number of counted UOCAVA ballots returned by email you reported in B16a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B17b-c should equal B17a	The amounts you report in B17b-c should equal the total number of counted UOCAVA ballots returned by other methods you reported in B17a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B15a, B16a, and B17a should equal B14a	The amounts you report in B15a, B16a, and B17a should equal the total number of UOCAVA ballots counted by your office you reported in B14a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B15b, B16b, and B17b should equal B14b	The amounts you report in B15b, B16b, and B17b should equal the total number of uniformed services voters' ballots counted by your office you reported in B14b. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B15c, B16c, and B17c should equal B14c	The amounts you report in B15c, B16c, and B17c should equal the total number of overseas citizen voters' ballots counted by your office you reported in B14c. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B18b-c should equal B18a	The amounts you report in B18b-c should equal the total number of rejected UOCAVA ballots you reported in B18a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B19b-c should equal B19a	The amounts you report in B19b-c should equal the total number of UOCAVA ballots rejected because they were received after the deadline you reported in B19a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B20b-c should equal B20a	The amounts you report in B20b-c should equal the total number of UOCAVA ballots rejected because of a problem with the voter signature you reported in B20a. Please correct your responses or use the comments section to explain why these subitems do not add up.

Validation Rule	Error Text
The sum of B21b-c should equal B21a	The amounts you report in B21b-c should equal the total number of UOCAVA ballots rejected for lack of a postmark you reported in B21a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B22b-c should equal B22a	The amounts you report in B22b-c should equal the total number of UOCAVA ballots rejected for other reasons reported in B22a. Please correct your responses or use the comments section to explain why these items do not sum as expected.
The sum of B14a and B18a should equal B9a	The sum of B14a and B18a should equal the total number of UOCAVA ballots returned by voters that you reported in B9a. Please correct your responses or use the comments section to explain why these items do not sum as expected.
The sum of B14b and B18b should equal B9b	The sum of B14b and B18b should equal the total number of UOCAVA ballots returned by uniformed services voters that you reported in B9b. Please correct your responses or use the comments section to explain why these items do not sum as expected.
The sum of B14c and B18c should equal B9c	The sum of B14c and B18c should equal the total number of UOCAVA ballots returned by overseas citizen voters that you reported in B9c. Please correct your responses or use the comments section to explain why these items do not sum as expected.
The sum of B19a, B20a, B21a, and B22a should equal B18a	The amounts you report in B19a, B20a, B21a, and B22a should equal the total number of rejected UOCAVA ballots you reported in B18a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B19b, B20b, B21b, and B22b should equal B18b	The amounts you report in B19b, B20b, B21b, and B22b should equal the total number of rejected ballots from uniformed services voters you reported in B18b. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B19c, B20c, B21c, and B22c should equal B18c	The sum of the amounts you report in B19c, B20c, B21c, and B22c should equal the total number of rejected ballots from overseas citizen voters you reported in B18c. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B23b-c should equal B23a	The amounts you report in B23b-c should equal the total number of FWABs returned by UOCAVA voters you reported in B23a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B24b-c should equal B24a	The amounts you report in B24b-c should equal the total number of FWABs counted you reported in B24a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B25b-c should equal B25a	The amounts you report in B25b-c should equal the total number of FWABs rejected because they were received after the deadline you reported in B25a. Please correct your responses or use the comments section to explain why these subitems do not add up.
The sum of B26b-c should equal B26a	The amounts you report in B26b-c should equal the total number of FWABs rejected because the voter's regular absentee ballot was received and counted you reported in B26a. Please correct your responses or use the comments section to explain why these subitems do not add up.



Validation Rule	Error Text	
The sum of B27b-c should equal B27a	The amounts you report in B27b-c should equal the total number of FWABs rejected for other reasons you reported in B27a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of B24a, B25a, B26a, and B27a should equal B23a	The amounts you report in B24a, B25a, B26a, and B27a should equal the total number of FWABs returned by UOCAVA voters you reported in B23a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of B24b, B25b, B26b, and B27b should equal B23b	The sum of the amounts you report in B24b, B25b, B26b, and B27b should equal the total number of FWABs returned by uniformed services voters you reported in B23b. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of B24c, B25c, B26c, and B27c should equal B23c	The sum of the amounts you report in B24c, B25c, B26c, and B27c should equal the total number of FWABs returned by overseas citizen voters you reported in B23c. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of C1b-i should equal C1a	The amounts you report in C1b-i should equal the number of total mailed ballots transmitted you reported in C1a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of C4b-r should equal C4a	The amounts you report in C4b-r should equal the total number of mailed ballots rejected you reported in C4a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of D3b-c cannot exceed D3a	The sum of the amounts you report in D3b-c cannot exceed the total number of physical polling places for Election Day in your jurisdiction you reported in D3a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of D4b-c cannot exceed D4a	The sum of the amounts you report in D4b-c cannot exceed the total number of physical polling places for early voting in your jurisdiction you report in D4a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of D7b-g should equal D7a	The numbers you report in D7b-g should equal the total number of poll workers in your jurisdiction you reported in D7a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of E1b-e should equal E1a	The amounts you report in E1b-e should equal the total number of voters who submitted provisional ballots you reported in E1a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of E2b-m should equal E2a	The amounts you report in E2b-m should equal the total number of rejected provisional ballots you reported in E2a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
E1d should be equal to E2a	The amount you report in E1d should equal the total number of rejected provisional ballots you reported in E2a. Please correct your responses or use the comments section to explain why these subitems do not add up.	
The sum of F1b-h should equal F1a	The sum of the amounts you report in F1b-h should equal the total number of voters who cast a ballot that was counted you reported in F1a. Please correct your responses or use the comments section to explain why these subitems do not add up.	

Table 2: Logic Validation Rules

Validation Rule	Error Text	
If A1c = Does Not Apply, then A1a = A1b	Because your state does not differentiate between active (A1b) and inactive voters (A1c), then A1a should equal A1b. Please correct your responses or use the comments section to explain why those two items differ.	
A2a cannot exceed A1a	The amount of SDRs you report in A2a cannot exceed the total number of registered voters you report in A1a. Please review your responses or use the comments section to explain why the value in A2a exceeds the value in A1a.	
B3a cannot exceed B2a	The number of rejected FPCAs you report in B3a should not exceed the total number of FPCAs received you reported in B2a. Please review your responses or use the comments section to explain why the value in B3a exceeds the value in B2a.	
B4a cannot exceed B3a	The number of FPCAs rejected because they were late you report in B4a should not exceed the total number of FPCAs rejected you reported in B3a. Please review your responses or use the comments section to explain why the value in B4a exceeds the value in B3a.	
B9a cannot exceed B5a	The number of ballots returned you report in B9a should not exceed the number of ballots transmitted to UOCAVA voters you reported in B5a. Please review your responses or use the comments section to explain why the value in B9a exceeds the value in B5a.	
B9b cannot exceed B5b	The number of ballots returned from uniformed services members you report in B9b should not exceed the number of ballots transmitted to uniformed services members you reported in B5b. Please review your responses or use the comments section to explain why the value in B9b exceeds the value in B5b.	
B9c cannot exceed B5c	The number of ballots returned from overseas citizen voters you report in B9c should not exceed the number of ballots transmitted to overseas citizen voters you reported in B5c. Please review your responses or use the comments section to explain why the value in B9c exceeds the value in B5c.	
B13a cannot exceed B5a	The number of ballots returned as undeliverable you report in B13a should not exceed the number of ballots transmitted to UOCAVA voters you reported in B5a. Please review your responses or use the comments section to explain why the value in B13a exceeds the value in B5a.	
B14a cannot exceed B9a	The total number of ballots counted you report in B14a should not exceed the total number of ballots returned by UOCAVA voters you reported in B9a. Please review your responses or use the comments section to explain why the value in B14a exceeds the value in B9a.	
B14b cannot exceed B9b	The total number of ballots counted you report in B14b should not exceed the total number of ballots returned by uniformed services members you reported in B9b. Please review your responses or use the comments section to explain why the value in B14b exceeds the value in B9b.	
B14c cannot exceed B9c	The total number of ballots counted you report in B14c should not exceed the total number of ballots returned by overseas citizen voters you reported in B9c. Please review your responses or use the comments section to explain why the value in B14c exceeds the value in B9c.	



Validation Rule	Error Text
B15a cannot exceed B10a	The number of ballots counted you report in B15a should not exceed the total number of ballots returned by postal mail by UOCAVA voters you reported in B10a. Please review your responses or use the comments section to explain why the value in B15a exceeds the value in B10a.
B15b cannot exceed B10b	The number of ballots counted you report in B15b should not exceed the total number of ballots returned by postal mail by uniformed services members you reported in B10b. Please review your responses or use the comments section to explain why the value in B15b exceeds the value in B10b.
B15c cannot exceed B10c	The number of ballots counted you report in B15c should not exceed the total number of ballots returned by postal mail by overseas citizen voters you reported in B10c. Please review your responses or use the comments section to explain why the value in B15c exceeds the value in B10c.
B16a cannot exceed B11a	The number of ballots counted you report in B16a should not exceed the total number of ballots returned by email by UOCAVA voters you reported in B11a. Please review your responses or use the comments section to explain why the value in B16a exceeds the value in B11a.
B16b cannot exceed B11b	The number of ballots counted you report in B16b should not exceed the total number of ballots returned by email by uniformed services members you reported in B11b. Please review your responses or use the comments section to explain why the value in B16b exceeds the value in B11b.
B16c cannot exceed B11c	The number of ballots counted you report in B16c should not exceed the total number of ballots returned by email by overseas citizen voters you reported in B11c. Please review your responses or use the comments section to explain why the value in B16c exceeds the value in B11c.
B17a cannot exceed B12a	The number of ballots counted you report in B17a should not exceed the total number of ballots returned by other modes by UOCAVA voters you reported in B12a. Please review your responses or use the comments section to explain why the value in B17a exceeds the value in B12a.
B17b cannot exceed B12b	The number of ballots counted you report in B17b should not exceed the total number of ballots returned by other modes by uniformed services members you reported in B12b. Please review your responses or use the comments section to explain why the value in B17b exceeds the value in B12b.
B17c cannot exceed B12c	The number of ballots counted you report in B17c should not exceed the total number of ballots returned by other modes by overseas citizen voters you reported in B12c. Please review your responses or use the comments section to explain why the value in B17c exceeds the value in B12c.
C2a cannot exceed C1a	The number of mailed ballots transmitted to permanent absentee voters you report in C2a cannot exceed the total number of mailed ballots transmitted in C1a. Please review your responses or use the comments section to explain why the value in C2a exceeds the value in C1a.
The sum of C3a and C4a should equal C1b	The sum of the amounts you report in C3a and C4a should equal the number of absentee returned by voters you report in C1b. Please review your responses or use the comments section to explain why the sum of C3a and C4a do not match the value in C1b.
If D1a > 0, then D3a ≠ Does Not Apply	Because you reported in-person Election Day voting at a physical polling place in D1a, you should also report the number of Election Day polling places in D3a. Please review your responses and add comments as necessary.

Validation Rule	Error Text	
If D1a > 0, then F1b > 0	Because you reported in-person Election Day voting in D1a, you should also report the number of these ballots that were counted in F1b. Please review your responses and add comments as necessary.	
If D1b > 0, then D4a ≠ Does Not Apply	Because you reported in-person early voting at a physical polling place in D1b, you should also report the number of early voting polling places in D4a. Please review your responses and add comments as necessary.	
If D1b > 0, then F1f > 0	Because you reported in-person early voting in D1b, you should also report the numbers of these ballots that were counted in F1f. Please review your responses and add comments as necessary.	
If D5a > 0 or D6a > 0, then D7a > 0	Because you reported using poll workers in D5a and/or D6a, you should provide the total number of poll workers used in the jurisdiction in D7a. Please review your responses and add comments as necessary.	
The sum of B14a and B24a should equal F1c	The sum of counted absentee UOCAVA ballots reported in B14a and counted FWABs reported in B24a should equal the total number of counted UOCAVA votes reported in F1c. Please review your responses or use the comments section to explain why the sum of B14a and B24a do not match the value in F1c.	
C3a should equal F1d	The number of counted absentee ballots reported in C3a should equal the total number of counted mail votes reported in F1d. Please review your responses or use the comments section to explain why the C3a does not match the value in F1d.	
If E1b > 0 or E1c > 0, then F1e > 0	Because you reported a number of provisional ballots counted or partially counted in E1b and/or E1c, you should provide data on the number of voters who cast a provisional ballot that was counted in F1e. Please review your responses and add comments as necessary.	
F1a cannot exceed A1a	The total number of voters who cast a ballot that was counted, as reported in F1a, cannot exceed the total number of registered voters as reported in A1a. Please review your responses and add comments as necessary.	
F1b cannot exceed D1a	The number of voters who voted in-person on Election Day and whose votes were counted, as reported in F1b, cannot exceed the total number of in-person ballots cast in Election Day, as reported in D1a. Please review your responses and add comments as necessary.	
F1d cannot exceed C1a	The number of voters who cast a mailed ballot that was counted, as reported in F1d, cannot exceed the total number of mailed ballots transmitted, as reported in C1a. Please review your responses and add comments as necessary.	
F1e cannot exceed E1a	The number of voters who cast a provisional ballot that was counted, as reported in F1e, cannot exceed the total number of provisional ballots cast, as reported in E1a. Please review your responses and add comments as necessary.	
F1f cannot exceed D1b	The number of voters who cast a ballot during in-person early voting that was counted, as reported in F1f, cannot exceed the total number of ballots cast during in-person early voting, as reported in D1b. Please review your responses and add comments as necessary.	
If F5a = Yes, then F5b_1 ≠ 0 or Does Not Apply	Because you reported using DREs without VVPAT in F5a, you should report data on the make(s) and model(s) of this equipment in F5b.	



Validation Rule	Error Text	
If F5a = Yes, then F5c_1 ≠ O or Does Not Apply	Because you reported using DREs without VVPAT in F5a, you should report data on the number of machines deployed in F5c.	
If F6a = Yes, then F6b_1 ≠ 0 or Does Not Apply	Because you reported using DREs with VVPAT in F6a, you should report data on the make(s) and model(s) of this equipment in F6b.	
If F6a = Yes, then F6c_1 ≠ O or Does Not Apply	Because you reported using DREs with VVPAT in F6a, you should report data on the number of machines deployed in F6c.	
If F7a = Yes, then F7b_1≠ O or Does Not Apply	Because you reported using ballot marking devices in F7a, you should report data on the make(s) and model(s) of this equipment in F7b.	
If F7a = Yes, then F7c_1 ≠ O or Does Not Apply	Because you reported using ballot marking devices in F7a, you should report data on the number of machines deployed in F7c.	
If F8a = Yes, then F8b_1 ≠ 0 or Does Not Apply	Because you reported using scanners in F8a, you should report data on the make(s) and model(s) of this equipment in F8b.	
If F8a = Yes, then F8c_1 ≠ O or Does Not Apply	Because you reported using scanners in F8a, you should report data on the number of machines deployed in F8c.	
If F9a = Yes, then F9b_1other ≠ 0 or Does Not Apply	Because you reported using punch card machines in F9a, you should report data on the make(s) and model(s) of this equipment in F9b.	
If F9a = Yes, then F9c_1 ≠ O or Does Not Apply	Because you reported using punch card machines in F9a, you should report data on the number of machines deployed in F9c.	
If F10a = Yes, then F10b_1other ≠ 0 or Does Not Apply	Because you reported using lever machines in F10a, you should report data on the make(s) and model(s) of this equipment in F10b.	
If F10a = Yes, then F10c_1 ≠ 0 or Does Not Apply	Because you reported using lever machines in F10a, you should report data on the number of machines deployed in F10c.	
If F11a = Yes, then F11d_1, F11d_2, F11d_3, F11d_4 and F11d_5 cannot be blank	Please respond to item [insert item number here]. If you do not have the information to respond, please enter "Data Not Available." If you collect the information but no response fits in this category, please enter "O." If this question does not apply to you, please enter "Does Not Apply" and explain in the comments section.	

Table 3: Policy Survey Validation Rules

Policy Survey Question	If Selected in Policy Survey	Expected Response in EAVS
O7: Daga yayır atata haya	07 - Vac (any of the two	A4c, A5c, A6c and A7c ≠ Does Not Apply
Q7: Does your state have online registration?	Q7 = Yes (any of the two "yes" options)	*Items A4c, A5c, A6c, and A7c report data on online registration.
Q9: Does your state have same-day registration	09 = Yes	A2a ≠ Does Not Apply
(SDR)?		*Item A2a reports data on SDRs.

Policy Survey Question	If Selected in Policy Survey	Expected Response in EAVS
Q9a: Under which	Q9a_1= Selected (On Election Day)	A2b ≠ Does Not Apply *Item A2b reports data on SDRs received on Election Day.
circumstances can a voter in your state register on the same day that they cast a ballot?	Q9a_2= Selected OR Q9a_3= Selected (During in-person early voting OR during an overlap between early voting and close of voter registration)	A2c ≠ Does Not Apply *Item A2c reports data on SDRs received before Election Day.
Q10: Does your state allow persons to preregister to vote before they are 18 years of age?	Q10 = Yes	A3c ≠ Does Not Apply *Item A3c reports data on new preregistrations of persons under age 18.
Q11: Does your state differentiate between active and inactive voters in your voter registration records?	Q11= Yes	A1c ≠ Does Not Apply *Item A1c reports data on inactive registrants.
Q13: Does your state send confirmation notices?	Q13_1 = Selected OR Q13_2 = Selected OR Q13_3 = Selected (any of the three "yes" options)	A8a ≠ Does Not Apply *Item A8a reports data on confirmation notices.
Q18a: Does your whole state use an all-by-mail system?	Q18a = Statewide	F1g ≠ Does Not Apply *Item F1g reports data on ballots cast in all- by-mail jurisdictions.
Q19: Will your state allow some or all registered voters to request to be a permanent absentee voter?	Q19 = Yes (any of the two "yes" options)	*Item C2a reports data on mailed ballots transmitted to voters on a permanent mail registration list.
Q24: What terminology does your state use to describe the process of allowing individuals to cast their ballots in person prior to Election Day?	Q24_4 = Selected (No inperson voting is allowed prior to Election Day)	D1b, D4a, D4b, D4c, D6a, and F1f = Does Not Apply *Items D1b, D4a-c, D6a, and F1f report data on in-person early/absentee voting before Election Day.
Q32: Does your state use provisional ballots?	Q32 = Yes	E1a, E1b, E1c, E1d, E1e, E2a, and F1e ≠ Does Not Apply *Items E1, E2, and F1e report data on provisional ballots.

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Policy Survey Question	If Selected in Policy Survey	Expected Response in EAVS
		A9d ≠ Does Not Apply
Q37: Do convicted or incarcerated individuals lose eligibility to vote?	Q37_4 = Selected (No one; criminal convictions do not limit a person's right to vote)	*Item A9d reports data on voters removed from voter registration rolls due to a disqualifying felony conviction.

Table 4: Special Conditions

If	Expected EAVS Response
F5a = No	Rest of items in F5 filled as Valid Skip (-77)
F5a = Yes	At least: F5b_1; F5c_1; F5d_1; F5d_2; F5d_3; F5d_4; F5d_5 should have a response
F6a = No	Rest of items in F6 filled as Valid Skip (-77)
F6a = Yes	At least: F6b_1; F6c_1; F6d_1; F6d_2; F6d_3; F6d_4; F6d_5 should have a response
F7a = No	Rest of items in F7 filled as Valid Skip (-77)
F7a = Yes	At least: F7b_1; F7c_1; F7d_1; F7d_2; F7d_3; F7d_4; F7d_5 should have a response
F8a = No	Rest of items in F8 filled as Valid Skip (-77)
F8a = Yes	At least: F8b_1; F8c_1; F8d_1; F8d_2; F8d_3; F8d_4; F8d_5 should have a response
F9a = No	Rest of items in F9 filled as Valid Skip (-77)
F9a = Yes	At least: F9b_1; F9c_1; F9d_1; F9d_2; F9d_3; F9d_4; F9d_5 should have a response
F10a = No	Rest of items in F10 filled as Valid Skip (-77)
F10a = Yes	At least: F10b_1; F10c_1; F10d_1; F10d_2; F10d_3; F10d_4; F10d_5 should have a response
F11a = No	Rest of items in F11 filled as Valid Skip (-77)
F11a = Yes	At least: F11d_1; F11d_2; F11d_3; F11d_4; F11d_5 should have a response

Methodology Appendix C: Post-Submission Validations and Sample Rates

Table 1: Sample Rates and Outlier Thresholds

EAVS Rate	Calculation	Threshold for Flagging Result for Further Review
Percent of total registrants by CVAP	$\frac{A1a}{CVAP} \times 100$	<50% >130%
Percent of registrations that were new and valid	$\frac{A3b}{A3a} \times 100$	<5% >95%
Percent of registrations that were duplicates	$\frac{A3d}{A3a} \times 100$	<1% >99%
Percent of registrations that were rejected	$\frac{A3e}{A3a} \times 100$	<1% >99%
Percent of registrations that were within-jurisdiction changes	$\frac{A3f}{A3a} \times 100$	<5% >95%
Percent of registrations received by mail	$\frac{A4a}{A3a} \times 100$	<1% >99%
Percent of registrations received in- person	$\frac{A4b}{A3a} \times 100$	<1% >99%
Percent of registrations received online	$\frac{A4c}{A3a} \times 100$	<1% >99%
Percent of registrations received at motor vehicle agencies	$\frac{A4d}{A3a} \times 100$	<1% >99%
Percent of registrations removed as percent of total registrants	$\frac{A9a}{A1a} \times 100$	<1% >99%
Percent of FPCAs that were rejected	$\frac{B3a}{B2a} \times 100$	<0.5% >99%
Percent of UOCAVA ballots returned	$\frac{B9a}{B5a} \times 100$	<5% >95%
Percent of UOCAVA ballots returned that were counted	$\frac{B14a}{B9a} \times 100$	<10% >100%
Percent of UOCAVA ballots returned that were rejected	$\frac{B18a}{B9a} \times 100$	<0.5% >90%
Percent of FWABs counted	$\frac{B24a}{B23a} \times 100$	<10% >100%
Percent of FWABs rejected	$\frac{(B25a + B26a + B27a)}{B23a} \times 100$	<0.5% >90%
Percent of mailed ballots returned	$\frac{C1b}{C1a} \times 100$	<5% >95%



EAVS Rate	Calculation	Threshold for Flagging Result for Further Review
Percent of mailed ballots counted	$\frac{C3a}{C1b} \times 100$	<10% >100%
Percent of mailed ballots rejected	$\frac{C4a}{C1b} \times 100$	<0.5% >90%
Percent of provisional ballots rejected	$\frac{E1d}{(E1b + E1c + E1d + E1e)} \times 100$	<0.5% >95%
Percent of turnout by CVAP	$\frac{F1a}{CVAP} \times 100$	<35% >95%
Percent ballots cast in-person on Election Day	$\frac{F1b}{F1a} \times 100$	<10% >90%
Percent ballots cast by mail	$\frac{(F1d + F1g)}{F1a} \times 100$	<5% >95%
Percent ballots cast in-person early	$\frac{F1f}{F1a} \times 100$	<1% >95%
Percent ballots cast by UOCAVA voters	$\frac{F1c}{F1a} \times 100$	<0.1% >50%
Percent ballots cast that were provisional	$\frac{F1e}{F1a} \times 100$	<0.01% >25%

Table 2: Comparisons to the 2016 EAVS Data

EAVS Rate	Calculation	Threshold for Flagging Result for Further Review
2020 total registrations as percentage of 2016's registrations	$\frac{A1a [2020]}{A1a [2016]} \times 100$	<50% >150%
2020 registrations received as percentage of 2016's	$\frac{A3a [2020]}{A5a [2016]} \times 100$	<25% >200%
2020 registrations removed as percentage of 2016's	$\frac{A9a [2020]}{A11a [2016]} \times 100$	<10% >200%
2020 UOCAVA registrants as percentage of 2016's	$\frac{B1a [2020]}{B19a [2016]} \times 100$	<10% >200%
2020 UOCAVA ballots transmitted as percentage of 2016's	$\frac{B5a [2020]}{B1a [2016]} \times 100$	<10% >200%
2020 UOCAVA ballots returned as percentage of 2016's	$\frac{B9a \ [2020]}{B2a \ [2016]} \times 100$	<10% >200%

EAVS Rate	Calculation	Threshold for Flagging Result for Further Review
2020 UOCAVA ballots counted as percentage of 2016's	$\frac{B14a [2020]}{B8a [2016]} \times 100$	<10% >200%
2020 mailed ballots transmitted as percentage of 2016's	$\frac{C1a [2020]}{C1a [2016]} \times 100$	<10% >500%
2020 mailed ballots returned as percentage of 2016's	$\frac{C1b \ [2020]}{C1b \ [2016]} \times 100$	<10% >500%
2020 mailed ballots counted as percentage of 2016's	$\frac{C3a \ [2020]}{C4a \ [2016]} \times 100$	<10% >500%
2020 provisional ballots cast as percentage of 2016's	$\frac{E1a \ [2020]}{E1a \ [2016]} \times 100$	<10% >500%
2020 total turnout as percentage of 2016's	$\frac{F1a [2020]}{F1a [2016]} \times 100$	<50% >150%



Methodology Appendix D: How to Calculate Selected EAVS Rates

The EAVS item numbers in this table correspond to the question numbering for the 2020 EAVS. To determine item numbering for previous EAVS surveys, please refer to the survey instrument and data codebook for each year.

EAVS Rate	Calculation
Total CVAP registration rate	$\frac{A1a}{CVAP} \times 100$
Active CVAP registration rate	$\frac{A1b}{CVAP} \times 100$
Percentage of registrations that were new and valid	$\frac{A3b}{A3a} \times 100$
Percentage of registrations that were duplicates	$\frac{A3d}{A3a} \times 100$
Percentage of registrations that were rejected	$\frac{A3e}{A3a} \times 100$
Percentage of registrations that were within-jurisdiction changes	$\frac{A3f}{A3a} \times 100$
Percentage of total registration forms that were received by mail	$\frac{A4a}{A3a} \times 100$
Percentage of total registration forms that were received in person at election or registrar offices	$\frac{A4b}{A3a} \times 100$
Percentage of total registration forms that were submitted by individual voters through web-based online registration systems	$\frac{A4c}{A3a} \times 100$
Percentage of total registration forms that were received through motor vehicle agencies	$\frac{A4d}{A3a} \times 100$
Voter registration removal rate as a percentage of total registrants	$\frac{A9a}{A1a} \times 100$
Percentage of FPCAs that were rejected	$\frac{B3a}{B2a} \times 100$
Percentage of total transmitted UOCAVA ballots that were returned by voters	$\frac{B9a}{B5a} \times 100$
Percentage of total transmitted UOCAVA ballots that were returned by voters and counted	$\frac{B14a}{B9a} \times 100$
Percentage of total transmitted UOCAVA ballots that were returned by voters and rejected	$\frac{B18a}{B9a} \times 100$
Percentage of FWABs returned by UOCAVA voters that were counted	$\frac{B24a}{B23a} \times 100$

EAVS Rate	Calculation
Percentage of FWABs returned by UOCAVA voters that were rejected	$\frac{(B25a + B26a + B27a)}{B23a} \times 100$
Percentage of transmitted mailed ballots that were returned by voters	$\frac{C1b}{C1a} \times 100$
Percentage of transmitted mailed ballots that were returned and counted	$\frac{C3a}{C1b} \times 100$
Percentage of transmitted mailed ballots that were returned and rejected	$\frac{C4a}{C1b} \times 100$
Percentage of provisional ballots that were counted, either in full or in part	$\frac{(E1b + E1c)}{(E1b + E1c + E1d + E1e)} \times 100$
Percentage of provisional ballots that were rejected	$\frac{E1d}{(E1b + E1c + E1d + E1e)} \times 100$
Voter turnout rate by CVAP	$\frac{F1a}{CVAP} \times 100$
Percentage of ballots that were cast at a physical polling place on Election Day	$\frac{F1b}{F1a} \times 100$
Percentage of ballots that were cast as mailed ballots	$\frac{(F1d + F1g)}{F1a} \times 100$
Percentage of ballots that were cast at an in-person early voting location	$\frac{F1f}{F1a} \times 100$
Percentage of ballots that were cast by UOCAVA voters	$\frac{F1c}{F1a} \times 100$
Percentage of ballots that were cast by provisional voters	$\frac{F1e}{F1a} \times 100$



Exhibit 67

NOTICE OF REJECTED APPLICATION FOR BALLOT BY MAIL

Missing or Incorrect Personal Identification Number

Your Application for a Ballot by Mail has been received and reviewed, but is defective for the reason checked below. New Texas Law requires that a voter must give his or her Texas Driver's License number, Texas Personal Identification Card number, Election Identification Certificate number or the last 4 digits of his or her Social Security number on an Application for Ballot by Mail. Required personal identification information is either missing from your application or the information provided does not match your voter registration record. You must provide the required number in order to vote by mail.

The Early Vo	ting Clerk has placed a checkmark next to the r	eason that your Application for Ballot by Mail was Defective
1.		ur Texas Driver's License Number, Texas Personal entification Certificate Number or the Last 4 digits of your
2.	Identification Certificate Number or the	is Personal Identification Number, Election Last 4 digits of your Social Security Number provided umber associated with your voter registration record as ar.
How to Co	rrect the Defect on your Application for Ba	llot by Mail
www.votet personal id	texas.gov When you loginto the Ballot by N	Texas Secretary of State Ballot by Mail Tracker at Mail Tracker, you will have the opportunity to enter your bal identification number is validated by the Mail Ballot busly submitted will be processed.
YourThe	he Ballot by Mail Tracker, you must enter: Texas Driver's License Number or Texas Pe last four digits of your social security number residence address as listed in your voter re	erAND
ncluded wit		ore Election Day, a new Application for Ballot by Mail is a new Application, you can correct the defect by using
f you do de	cide to submit a new application, please b	e aware of the following guidelines:
Clerk so that		u must physically send the original to the Early Voting ness day after it was received by fax or email and it
		correction to your Application for Ballot by Mail for a ease contact the Early Voting Clerk's Office at:
Phone Numb	er er	Signature of Early Voting Clerk

EXHIBIT / 6

NOTIFICACIÓN DE SOLICITUD DE BOLETA POSTAL RECHAZADA

Número de Identificación Personal Faltante o Incorrecto

Su Solicitud de Boleta Postal ha sido recibida y revisada, pero es defectuosa por la razón que se indica a continuación. La nueva ley de Texas exige que el votante dé su Número de Licencia de Conducir de Texas, el Número de su Tarjeta de Identificación Personal de Texas, el Número de su Certificado de Identificación Electoral o los últimos 4 dígitos de su Número de Seguro Social en la Solicitud de Boleta Postal. La información de identificación personal requerida falta en su solicitud o la información pro porcionada no coincide con su registro de votante. Debe proporcionar el número requerido para poder votar por correo.

	de Votación Adelantada ha puesto una r de Boleta Postal fue defectuosa	marca de verificación junto a la razón por la que
1.		Licencia de Conducir de Texas, su Número de Tarjeta de nero de Certificado de Identificación Electoral de Texas o eguro Social.
2.	Texas, el Número de Certificado de Ider de Seguro Social proporcionados en su s	exas, el Número de Tarjeta de Identificación Personal de ntificación Electoral o los últimos 4 dígitos de su Número solicitud no coinciden con el número asociado con su el Registrador de Votantes de su Condado.
Como Corre	gir el Defecto en Su Solicitud de Boleta Po	<u>ostal</u>
<u>www.votete</u> número(s) d	xas.gov Cuando acceda al Rastreador de e identificación personal. Una vez que su	dor de Boleta Postal del Secretario de Estado de Texas en Boleta Postal, tendrá la oportunidad de introducir su(s) I número de identificación personal sea validado por el de Boleta Postal que usted presentó previamente.
Su Nt de Te	el Rastreador de Boleta Postal, debe ingre úmero de Licencia de Conducir de Texas o exas, Y Itimos 4 dígitos de su Número de Seguro S	su Número de Tarjeta de Identificación Personal
	rección de residencia tal y como figura en	
nue va Solicit		l Día de las Elecciones, se incluye en esta notificación una una nueva Solicitud, puede corregir el defecto utilizando
Si decide pre	sentar una nueva solicitud, tenga en cue	nta las siguientes directrices:
Secretario de	e Votación Adelantada para qu e sea recibi	de Boleta Postal, debe enviar físicamente el original al do a más tardar el cuarto día hábil después de haber sido on todos los plazos legalmente requeridos.
		corrección en su Solicitud de Boleta Postal por un número se en contacto con la Oficina de Votación Adelantada al:
Número de T	eléfono e	Firma del Secretario de Votación Adelantada

Exhibit 68

NOTICE OF REJECTED APPLICATION FOR BALLOT BY MAIL

Required Personal Identification Number is Not Associated with Your Voter Record

Your Application for a Ballot by Mail has been received and reviewed, but is defective for the reason stated below. New Texas Law requires that a voter must give his or her Texas Driver's License number, Texas Personal Identification Card number, Texas Election Identification Certificate number or the last 4 digits of his or her Social Security number on an Application for Ballot by Mail. The number provided must be a part of the voter's registration record in order for the voter to vote by mail.

Your voter registration record does not have a Texas Driver's License Number, Texas Personal Identification Card Number, Election Identification Certificate Number or Last 4 digits of a Social Security Number associated with it.

There are Two Ways to Add the Required Numbers to Your Voter Registration Record

Submit an Updated Voter Registration Application - Enclosed is a Postage Paid Voter Registration Application. Complete the application according to its instructions. Adding both the Driver's License or Personal Identification Card number AND the last 4 digits of your Social Security number to your voter registration record is very helpful to the Early Voting Clerk and will make applying for a Ballot by Mail easier in future elections.

OR

Update Your Information Online - You may update your voter registration record online at www.Texas.gov

To access the voter registration portal via Texas.gov, you must have:

- Your Texas Driver's License or Texas Personal Identification Card
- The audit number located on your Texas Driver's License or Texas Personal Identification Card
- Your Social Security Number
- Your Voter Registration Number (VUID#).

If you do not have a personal identification number associated with your voter registration record, you must add it before you will be allowed to vote by mail. Adding the missing numbers to your voter registration record takes effect immediately, but if you change your address it will take 30 days for the update to take effect from the day the voter registrar receives your new application.

Note: You cannot add the required personal identification numbers to your voter registration record by submitting a new Application for Ballot by Mail.

If you have any questions or concerns about making an update to your voter registration record for a missing personal identification number, please contact the Early Voting Clerk's Office at:

Phone Number	Signature of Early Voting Clerk	

NOTIFICACIÓN DE SOLICITUD DE BOLETA POSTAL RECHAZADA

El Número de Identificación Personal Requerido No Está Asociado Con Su Registro de Votante

Su Solicitud de Boleta Postal ha sido recibida y revisada, pero es defectuosa por la razón que se indica a continuación. La nueva ley de Texas exige que el votante dé su Número de Licencia de Conducir de Texas, el Número de su Tarjeta de Identificación Personal de Texas, el Número de su Certificado de Identificación Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social en la Solicitud de Boleta Postal. El número proporcionado debe ser parte del registro del votante para que el votante pueda votar por correo.

Su registro de votante no tiene un Número de Licencia de Conducir de Texas, un Número de Tarjeta de Identificación Personal de Texas, Certificado de Identificación Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social asociado con él.

Hay Dos Maneras de Añadir los Números Requeridos a Su Registro de Registro de Votante

Presentar una Solicitud de Registro de Votantes Actualizada - Se adjunta una Solicitud de Registro de Votantes con franqueo pagado. Complete la solicitud de acuerdo con sus instrucciones. Añadir tanto el Número de la Licencia de Conducir o de la Tarjeta de Identificación Personal como los últimos 4 dígitos de su Número de Seguro Social a su registro de votante es muy útil para el Secretario de Votación Adelantada y facilitará la solicitud de una Boleta Postal en elecciones futuras.

0

Actualice su Información en Línea — Puede actualizar su registro de votantes en línea en www.Texas.gov

Para acceder al portal de registro de votantes a través de Texas.gov, debe tener:

- Su Licencia de Conducir de Texas o su Tarjeta de Identificación Personal de Texas
- El número de auditoría que se encuentra en su Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas
- Su Número de Seguro Social
- Su Número de Registro de Votante (VUID#).

Si no tiene un número de identificación personal asociado con su registro de votante, debe añadirlo antes de que se le permita votar por correo. La adición de los números que faltan a su registro de votante surte efecto inmediatamente, pero si cambia su dirección, la actualización tardará 30 días en surtir efecto a partir del día en que el registrador de votantes reciba su nueva solicitud.

Nota: No puede añadir los números de identificación personal requeridos a su registro de votante presentando una nueva Solicitud de Boleta Postal.

Si tiene alguna pregunta o duda sobre cómo actualizar su registro de votante por un número de identificación personal faltante, póngase en contacto con la Oficina de Votación Adelantada al:

· · · · · · · · · · · · · · · · · · ·	·
Número de Teléfono	Firma del Secretario de Votación Adelantada

Exhibit 69

NOTICE OF IMPROPER DELIVERY

Name of Vot	ter		VUID Number					
Precinct Nun	nber							
	ve as notice the It has been of by mail will no		ballot for the Election was received by the early ned that your ballot was returned in violation of the Election Code, and your unted.					
Check Reaso	on:							
1	Your ballot	was not returned in the official c	arrier envelope.					
2	than one car who enclose same addres	rier envelope. If another enveloped their carrier envelope in the sa	er envelope but in another envelope containing more ope is used to return the carrier envelope, all persons me larger envelope, must be registered to vote at the r envelopes returned with your carrier envelope from s.					
3	A carrier e	•	relope originated from the location indicated below. by a common or contract carrier if the delivery owing:					
	a)	headquarters of a political par	ty or candidate in the election					
	b)	candidate in the election unle	ss that is your address					
	c)	specific or general purpose po	plitical committee involved in the election					
	d)	an entity that requested the el	ection					
4			ed your carrier envelope did not provide a receipt for with requirements prescribed by state law.					
5	envelopes m	-	one other than you, the voter. Note that carrier mmon or contract carrier, or by hand-delivery by the					
presenting an		g this Notice to the presiding el	riod or at your regular election day polling place by ection officer at the early voting polling place or at					
If you have a	ny questions r	egarding this matter, please call	my office at					
Signature of	Early Voting (Clerk						

Date

Note to Polling Place Election Official: If a voter presents this Notice and offers to vote, the voter must surrender the Notice before being accepted for voting. If otherwise qualified, the voter may then vote a regular ballot at the polling place. You should write the word "Cancelled" on this Notice and return it in envelope #2 with other election records.

AW5-16a Código Electoral de Texas Secs. 84.033(c), 86.006(h) Prescrito por la Secretaría de Estado 9/15

AVISO DE ENTREGA DEFECTUOSA

	de identificació	n de votante (VUID, por sus siglas en Ingles)
	Después	rma que el Secretario/a de Votación Temprana recibió su boleta para las elecciones de de recibirla, se determinó que la entrega de su boleta electoral no cumple con las leyes ctoral de Texas y por dicha razón no se incluirá en el conteo final.
Marque la falta	a cometida:	
1	Su boleta elec	toral no fue devuelta dentro del sobre de entrega oficial requerido.
2	otros sobres d todas las perso registradas par	e entrega oficiales. Para poder enviar más de un sobre oficial dentro de un mismo sobre, onas quienes enviaron su sobre oficial dentro de un mismo sobre más grande deben estar a votar bajo la misma dirección residencial. El sobre en que llegó su sobre oficial contenía un sobre de entrega enviado por alguien cuyo domicilio es distinto al suyo.
3		nado que su sobre oficial fue enviado desde uno de los siguientes lugares. Está prohibido ortista público o comercial entregue un sobre oficial si el lugar de donde la entrega se
	a)	La sede de uno de los partidos políticos o candidatos participando en dichas elecciones
	b)	El domicilio de uno de los candidatos participando en las elecciones a menos que éste sea su domicilio.
	c)	La sede de un comité político de interés general o específico que está participando en las elecciones.
	d)	La sede de la entidad que solicitó la celebración de estas elecciones.
4	_	a público o comercial que entregó su sobre oficial no proporcionó un acuso de recibo o el ransportista proporciono no cumplió con los requerimientos de ley estatal.
5	que el sobre o	toral fue entregada a mano por alguien que no es usted, el votante. Por favor tome en cuenta ficial solamente puede ser entregado por correo postal, transportista público o comercial, o mano, por el votante quien voto con esa boleta.
		eríodo de votación temprana o en su sitio electoral en el Día de la Elección si usted presenta cial electoral en el sitio de votación temprana o en su sitio electoral en el Día de la Elección.
Si tiene pregur	ntas, por favor co	omuníquese con mi oficina marcando el
Firma del Secr	retario/a de Vota	ción Temprana
Fecha		

Nota al oficial electoral: Si un votante desea votar y presenta este aviso, exíjale que le entregue el aviso antes de votar. Si el votante está calificado para votar, el votante puede utilizar una boleta regular para votar en el sitio electoral. Escriba la palabra "Cancelled" en este Aviso y envíenos el Aviso con los otros documentos electorales en el sobre # 2.

Exhibit 70

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C34C87BF7C6D49A78E87034AB37231B1-CADKINS

[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C34C87BF7C6D49A78E87034AB37231B1-CADKINS]

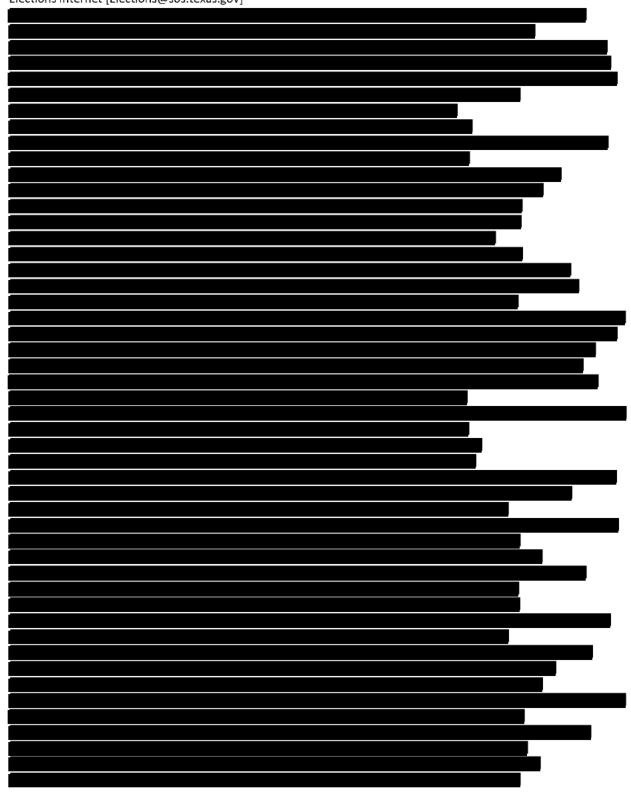
on behalf of Elections Internet [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C7880AABC96640A49B316BEE342F5292-ELECTIONS I]

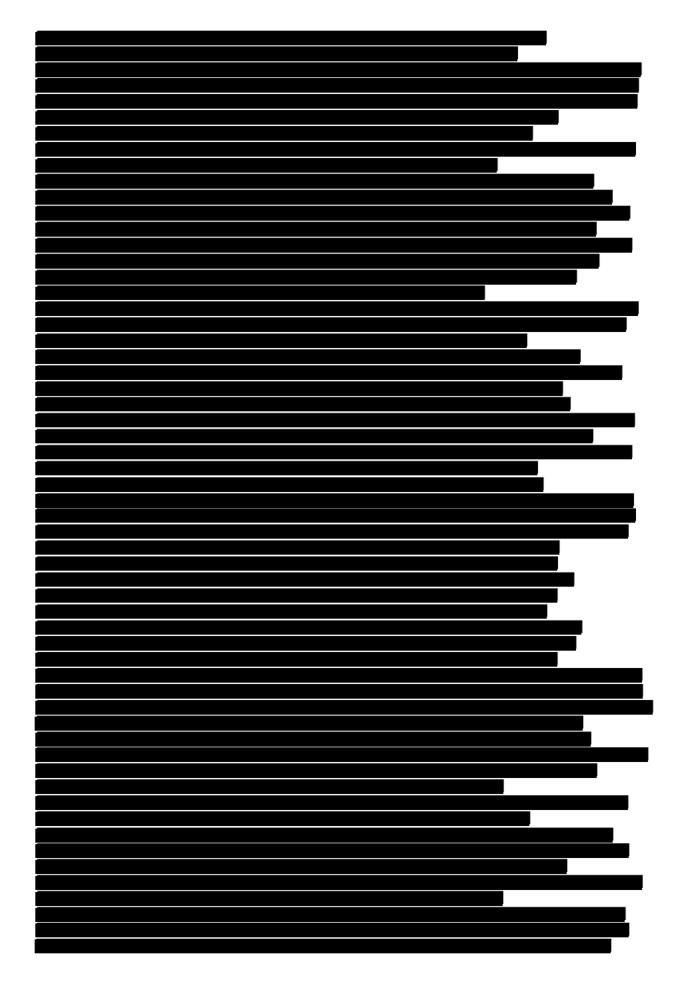
Sent: 1/28/2022 11:24:13 PM

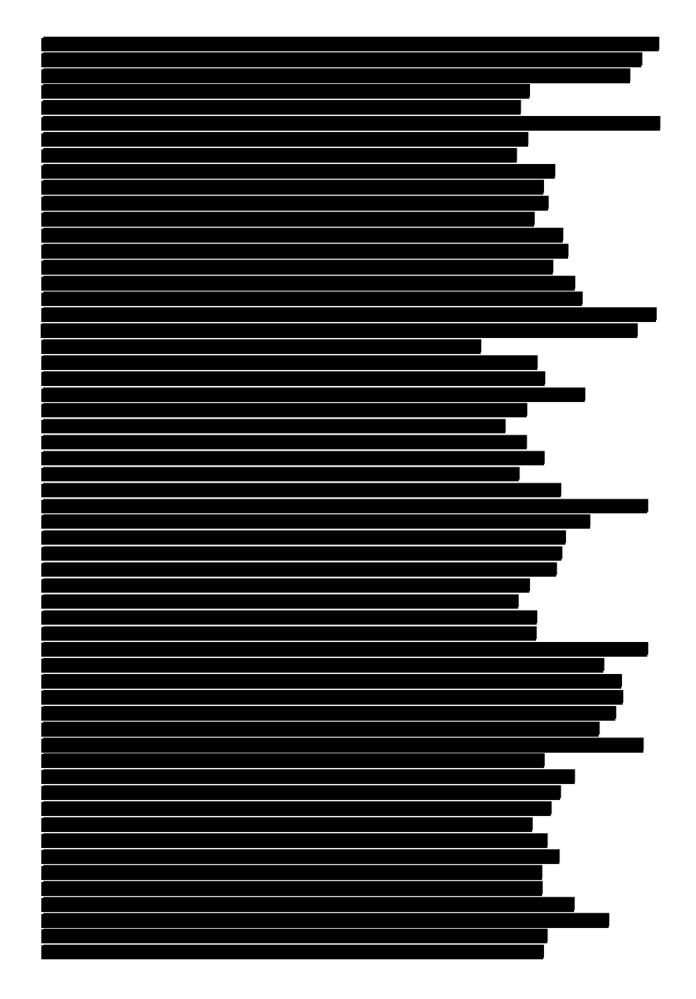
To: Elections Internet [Elections@sos.texas.gov]

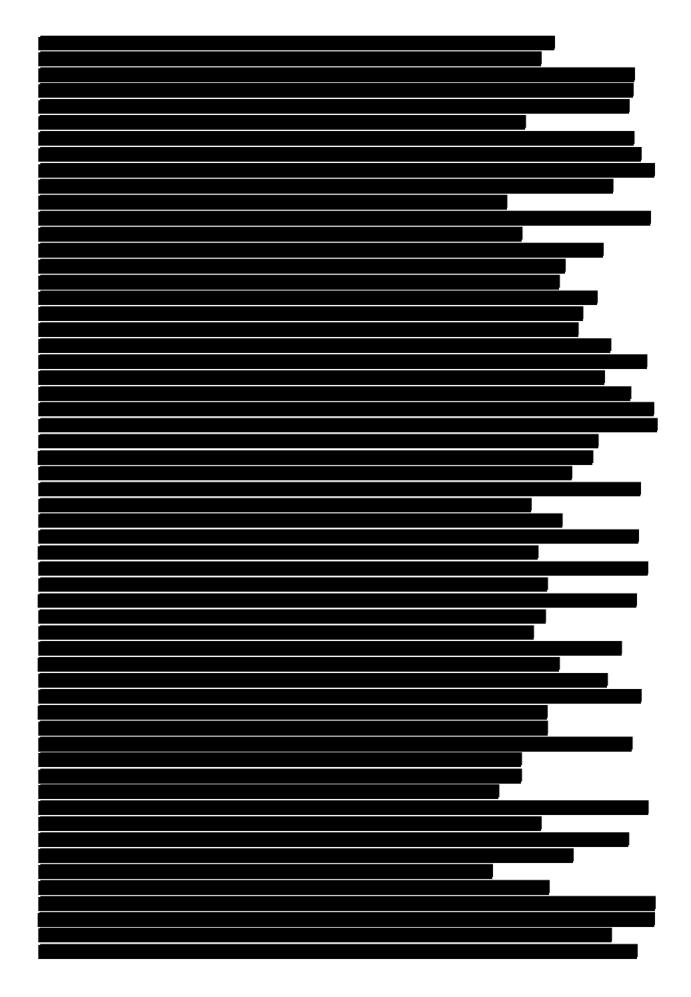
BCC:

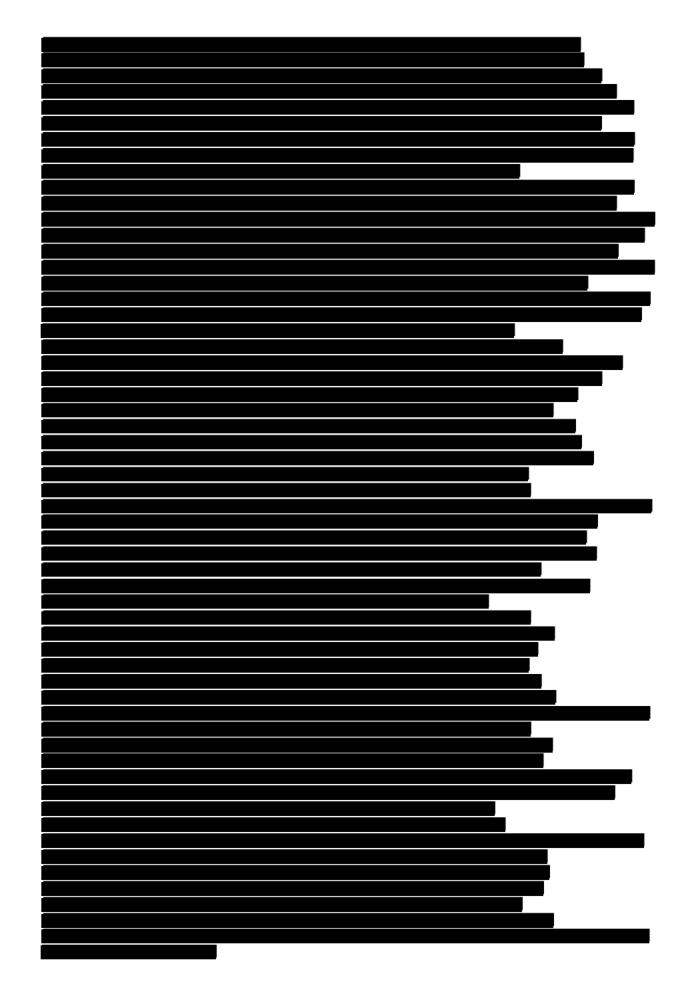












MASS EMAIL ADVISORY (CC/EA/VR - 1031) Advisory 2022-08 - Opportunity to Correct Defects on ABBM and Carrier Subject:

Envelope

Attachments: ADV2022-08 - Opportunity to Correct Defects (Final).pdf; 6-13 FORM Notice of Surrendered Ballot.pdf; 8-20 -

SAMPLE Roster of Voters with Def. Carrier - Returned to the Voter by Mail.pdf; 8-21 - SAMPLE Roster of ABBM Voters Def. Carrier Envelopes - Phone or Email.pdf; 8-22 - SAMPLE Roster of FPCA Voters Def. Carrier Envelopes -Notified by Phone or Email.pdf; 8-23 - FORM Notice of Carrier Defect - Carrier Envelope Returned to Voter by Mail.pdf; 8-24 - FORM - Notice of Carrier Defect - Voter Notified by Phone or Email.pdf; 6-14 - FORM Corrective

Action Form for Carrier Envelope.pdf

Dear Election Officials,

Our office has released Advisory No. 2022-08 - NEW LAW: Senate Bill 1 - Opportunity to Correct Defects on Application for a Ballot by Mail and Carrier Envelope. The advisory is attached to this email as a PDF. In addition to this advisory, we have released the following forms:

- Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail (8-23) Attached as PDF (Spanish translation pending)
- Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email (8-24) Attached as PDF (Spanish translation pending)
- SAMPLE Roster of Voters with Defective Carrier Envelopes (8-20, 8-21, 8-22) Attached as PDF
- Corrective Action Form for Defective Carrier Envelope (6-14) Attached as PDF
- Notice of Surrendered Ballot by Mail (6-13) Attached as PDF

Previously, we released the following forms referenced in Advisory No. 2022-08:

- Notice of Rejected Application for Ballot by Mail Missing or Incorrect Personal Identification Number (6-3)
- Notice of Rejected Application for Ballot by Mail Required Personal Identification Number is Not Associated with your Voter Record (6-4)

We will be offering a webinar on this advisory on Tuesday, February 1, 2021 at 2:00 pm. The log-in information for this webinar is located below.

Date	Time	Event	Link
		Opportunity	
		to Correct	
		Defects on	
February	2:00	Application	https://texassos.webex.com/texassos/onstage/g.php?MTID=efaebe15383efd85ba5cb2ede734
1	pm	for a Ballot	https://texassus.webex.com/texassus/onstage/g_paip:winb-enacticitionalcolede/s-
		by Mail and	
		Carrier	
		Envelope	

As you review the advisory and the associated forms, please let us know if you have additional questions. We will be working with our early voting clerks thorough the implementation of this new processes, and we will provide additional webinars and resources as needed.

Thank you for all that you do for Texas elections.

Christina Worrell Adkins

Legal Director - Elections Division

Office of the Texas Secretary of State 1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701 1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

CONFIDENTIAL STATE060470

NOTICE OF SURRENDERED BALLOT BY MAIL AVISO DE BOLETA POSTAL RENUNCIADA

To the Presiding Judge or Deputy Early (Para el Juez Presidente o el Secretario	•	ʻada):
This is to certify that (Se certifica que)	•	,
Name of voter (Nombre del votante)	VUID # (Número del votante)	Precinct Number (Número de precinto)
has surrendered his/her Ballot by Mail the Early Voting Clerk, and has not vote (ha renunciado a su Boleta Postal (ABL Federal (FPCA por sus siglas en inglivotado por correo. El votante es elegible	ed by mail. The voter is eligible BM por sus siglas en inglés) c lés) en la oficina del Secreta	e to vote a regular ballot. o a su Boleta Postal de Tarjeta Postal rio de Votación Adelantada y no ha
Name of County (Nombre del Condado)	Signature of Ear (Firma del Secr	rly Voting Clerk etario de Votación Adelantada)
Prescribed by Secretary of State Section 84.031 Texas Election Code 1/2022		Prescrito por el Secretario de Estado Sección 84.031, Código Electoral de Texas
	SURRENDERED BALLO BOLETA ENTREGADA POR	
To the Presiding Judge or Deputy Early (Para el Juez Presidente o el Secretario		fada):
This is to certify that (Se certifica que)		
Name of voter (nombre del votante) precinto)	VUID # (número del vota	nte) Precinct Number (número de
has surrendered his/her Ballot by Mail the Early Voting Clerk, and has not vote (ha entregado su Boleta por Correct Secretario de Votación Adelantada y boleta regular.	ed by mail. The voter is eligible o o <i>Tarjeta Federal Postal E</i>	e to vote a regular ballot. Boleta por Correo en la oficina del
Name of County (Nombre del Condado)	Signature of Ear (Firma del Secr	rly Voting Clerk etario de Votación Adelantada)

Prescribed by the Secretary of State Sections 63.0011, 87.0271, 87.0411 Texas Election Code 1/2022 (6-14)

Authority Conducting the Election (Autoridad Administrando la Elección)	Date of Correction (Fecha de la Corrección)
Title of Election (Título de la Elección)	Printed Name of Early Voting Clerk's Representative Nombre de Representante del Secretario de Votación Adelantada

CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE

Second Complete of Notice of Processing Clerk: Circle the number(f) to indicate the veter's Carrier Envelope Defect(s)			TIVE ACTION FOR IVI FOR D		
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2. Signature on Carrier Envelope Certificate Could Not Immediately be Determined to be That of the Veter (No as pud determine immediated and produced determine) and an experimental of the Carrier Envelope (Ac Constanted de Demittical Permonel requested on as incluyed on a Bobar de Envisor (Act Constanted de Demittical Permonel Industrial South and Permonel Industrial South Permonel Industrial Industrial Industrial Industrial Indus	1.				P
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Signature of Applicant or Agent and Relationship to Applicant or printed Name of Applicant if Signed by Witness and Date.					1 -

Prescribed by Secretary of State (8-20) Sections 87.0271, 87.0411 Texas Election Code 1/2022

Name of Election	Authority Conducting Election
Date of SVC/EVBB Meeting	SVC or EVBB (circle one)

ROSTER OF VOTERS WITH DEFECTIVE CARRIER ENVELOPES – RETURNED TO THE VOTER BY MAIL

Voter Name	VUID	No Carrier Signature #1	Signature Mismatch #2	Missing SOR (EVBB only) #3	Missing or Incorrect ID Info #4	Missing or Incomplete Witness Info #5	Printed Name of SVC/EVBB Person Who Provided Notice	Date Carrier Mailed Back to Voter	Date Corrected Carrier Received	Date Corrected Carrier Sent Back to EVBB	EVBB Action Taken on Carrier Envelope	Rejected (Place a acce)	oted or I by EVBB a check if oted or ected)	Date of Defect if Found to be Defective for a 2 nd Time	Date Voter was Notified by Phone	Date Voter was Notified by Email	Date Corrective Action Taken by Voter	Rejected (Place a	ccepted or I by EVBB I check if oted or oted)
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Prescribed by Secretary of State 8-21 Sections 87.0271, 87.0411 Texas Election Code 1/2022

Name of Election	Authority Conducting Election
Date of SVC/EVBB Meeting	SVC or EVBB (circle one)

ROSTER OF ABBM VOTERS WITH DEFECTIVE CARRIER ENVELOPES - NOTIFIED BY PHONE OR EMAIL

Voter Name	VUID	No Carrier Signature #1	Signature Mismatch #2	Missing SOR (EVBB only) #3	Missing or Incorrect ID Info #4	Missing or Incomplete Witness Info #5	Printed Name of SVC/EVBB Person Who Provided Notice	Date Voter was Notified by Phone	Date Voter was Notified by Email	Date Corrective Action Taken by Voter	Date Corrected Carrier Sent Back to EVBB	(Place a accep reje	ted or by EVBB check if oted or cted)	Date of Defect if Found to be Defective for a 2 nd Time	Date Voter was Notified by Phone	Date Voter was Notified by Email	Date Corrective Action Taken by Voter	Finally Acc Rejected (Place a accept rejec	check if ted or
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Prescribed by Secretary of State Sections 87.0271, 87.0411 Texas Election Code 1/2022 (8-22)

Name of Election	Authority Conducting Election
Date of SVC/EVBB Meeting	SVC or EVBB (circle one)

ROSTER OF FPCA VOTERS WITH DEFECTIVE CARRIER ENVELOPES - NOTIFIED BY PHONE OR EMAIL

Voter Name	VUID	No Carrier Signature #1	Signature Mismatch #2	1	Missing or Incomplete Witness Info #5	Printed Name of SVC/EVBB Person Who Provided Notice	Date Voter was Notified by Phone	Date Voter was Notified by Email	Date Corrected Signature Sheet Sent Back to EVBB	Method Correct En	of Transn	nission of ure Sheet Mail	Accept Rejected (Place a accept rejec	ed or by EVBB check if ed or	Date of Defect if Found to be Defective for a 2 nd Time	Date Voter was Notified by Phone	Date Voter was Notified by Email	Date Corrective Action Taken by Voter	(Place a accep	ccepted or I by EVBB a check if oted or ected)
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	
													Accepted	Rejected					Accepted	
										email	Fax	Mail		Rejected					Accepted	
										email	Fax	Mail								
										email	Fax	Mail	Accepted	Rejected					Accepted	
										email	Fax	Mail	Accepted	Rejected					Accepted	
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
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										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
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										email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
						1000				email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
						ALL AND				email	Fax	Mail	Accepted	Rejected					Accepted	Rejected
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										email	Fax	iviail	- Copicu						Leepieu	

NOTICE OF CARRIER DEFECT

Carrier Envelope Returned to the Voter by Mail

Your Carrier Envelope has been received and reviewed, but is defective for the reason(s) checked below. Texas law allows a voter to correct certain defects on his or her Carrier Envelope after the marked ballot has been returned to the Early Voting Clerk. Your Carrier Envelope is enclosed with this notice so that you can make the necessary corrections. All defects listed below are able to be corrected. You must correct the defect and ensure that the Carrier Envelope is received by the Early Voting Clerk no later than 7:00 p.m. on Election Day.

There is a	checkmark next to the reason(s) that your Carrier Envelope was Defective
1.	The Carrier Envelope you returned to the Early Voting Clerk was not signed.
2.	When the signature on your Application for Ballot by Mail was compared to the signature on your Carrier Envelope, it could not be immediately determined that the signatures were made by the same person.
3.	A required Statement of Residence was not included in the Carrier Envelope you returned to the Early Voting Clerk.
4.	Your Carrier Envelope did not contain your Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number or the Last 4 digits of your Social Security Number; OR the number provided did not match the number associated with your voter registration record as provided by your County's Voter Registrar; OR if you were not issued one of the documents with the required number, you did not indicate this fact on the Carrier Envelope.
5.	The Carrier Envelope you returned to the Early Voting Clerk contained incomplete information with respect to a witness.

How to Correct the Defect on Your Carrier Envelope that was Returned to You by Mail

You must correct the defect directly on the Carrier Envelope or by using the Corrective Action Form located on the back of this notice. If you use the Corrective Action Form, the completed form and the Carrier Envelope must both be received the Early Voting Clerk no later than 7:00 p.m. on Election Day.

Defect Correction Process by Number

- **Defect #1** Sign the Carrier Envelope in the designated space and return it to the Early Voting Clerk using the envelope provided in this packet.
- **Defect #2** Complete and sign the Signature Box on the Corrective Action Form. There is already a signature on the Carrier Envelope.
- Defect #3 Complete and sign the Statement of Residence portion of the Corrective Action Form.
- **Defect #4** You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov or by providing your personal identification information in Box #4 of the Corrective Action Form or by providing your personal identification information on the Carrier Envelope. If you use the Corrective Action Form, you must complete and sign the Signature Box. You must mail back the Carrier Envelope so that it is received by the Early Voting Clerk no later than 7:00 p.m. on Election Day.
- Defect #5 If you used a witness for your Carrier Envelope because you were not able to sign or make your
 mark and the witness information was missing or incomplete, please ask a witness to complete the witness
 portion of the Carrier Envelope or the Corrective Action Form. You may use a different person as a witness if
 the same person is not available. NOTE: If you no longer need a witness, you must be able to sign or make your
 mark on the Carrier Envelope or on the Corrective Action Form in the Signature Box.

Correcting Defect #4 Using the Ballot by Mail Tracker

When you log into the Ballot by Mail Tracker, you will have the opportunity to enter your personal identification number(s). Both your Texas Driver's License or Texas Personal Identification Card number AND your Social Security number must be associated with your voter registration record to use the Ballot by Mail Tracker. Once your personal identification number is validated by the Mail Ballot Tracker, you must still return your Carrier Envelope by mail, common or contract carrier or hand delivery so that it is received no later than 7:00 p.m. on Election Day. NOTE: You can only personally hand-deliver your own Carrier Envelope to the Early Voting Clerk's Office on Election Day between 7:00 a.m. and 7:00 p.m.

To utilize the Ballot by Mail Tracker, you must enter:

- Your Texas Driver's License Number or Texas Personal Identification Number, AND
- The last four digits of your Social Security number AND
- Your residence address as listed in your voter registration record

Cancelling Your Ballot by Mail - If you do not wish to correct the defect, you may still vote in person by cancelling your Ballot by Mail. You may appear at an Early Voting or Election Day polling place and surrender your Carrier Envelope with the official ballot inside. Upon the surrender of your Ballot by Mail, you are entitled to vote a regular ballot. If you do not surrender your Ballot by Mail, you will be given a Provisional Ballot.

If you have any questions or concerns about making a correction to your Carrier Envelope please contact the Early Voting Clerk's Office at:

Prescribed by the Secretary of State Sections 63.0011, 87.0271, 87.0411 Texas Election Code 1/2022

Authority Conducting the Election (Autoridad Administrando la Elección)	Date of Correction (Fecha de la Corrección)
Title of Election (Título de la Elección)	Printed Name of Early Voting Clerk's Representative Nombre de Representante del Secretario de Votación Adelantada

CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE

	CORREC	TIVE ACTION FORM F	ORD	EFECTIVE CARRIER	ENVELOPE						
Nan	ne of Voter (Nombre del Votante)		Voter's	VUID# (Número de registraci	ón del votante (VUID#))						
	Early Voting Cl	erk: Circle the number(s) to	indicate	the voter's Carrier Envelo	pe Defect(s)						
1.	Voter Did Not Sign the Carrier En										
2.		Signature on Carrier Envelope Certificate Could Not Immediately be Determined to be That of the Voter (No se pudo determinar inmediatamente que la firma en el Certificado del Sobre de Envío es la del votante)									
3.	Required Statement of Residence Was Not Included with the Carrier Envelope (La Constancia de Domicilio Permanente requerida no se incluyó con el Sobre de Envío)										
4.	Missing or Incorrect Personal Identification Numbers or Social Security Number (Números de Identificación Personal o Número de Seguro Social faltantes o incorrectos)										
	or (o)										
	Texas Driver's License or Texas Personal Identification Card (Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas) (Los 4 últimos dígitos de número de Seguro Social)										
	I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number No se me ha emitido una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o Número de Seguro Social.										
5. Incomplete Information with Respect to a Witness (Información incompleta con respecto a un testigo)											
	Signature of Witness (Firma del to	estigo)		Printed Name of Witness	(Nombre en letra de molde del testigo)						
	Street Address of Witness (Domic	ilio residencial del testigo)									
	l,				ect on my Carrier Envelope that						
8 8	was identified above. By my sign	•		_							
	(Yo, Envío que se identificó anteriorme	, en el día// nte. Con mi firma a continuación.									
gnature	Envio que se ruentifico unterrorme	me. commymma a commaacion,	V	e que toua la mjormación que	ne dade es verdade ra y correctaj.						
Sig			Λ.								
		<u> </u>	<u> </u>	ignature of Voter (Firr	na del Votante)						
	STATEME	NT OF RESIDENCE (CONS	TANCIA	DE DOMICILIO PERMAN	VENTE)						
	For persons whose resi	dence address does not match the	e voter re	egistration address on the list	of registered voters						
ļ		uya dirección no coincide con la q	que apare	·							
1	Name Include suffix, if any Ilido Incluir sufijo, si lo hay	First Name Nombre de Pila		Middle Name (if any) Segundo Nombre (si lo hay)	Former Name Apellido Anterior						
(Jr., S		Nombre de Fild		Segundo Nombre (sno nay)	Apellido Anterior						
					-						
	dence Address: Street Address and ne, describe where you live. (Do not include F		and Zip.		Gender (Optional) Sexo (Opcional)						
	nicilio Residencial: Número y calle,		ad, Estad	o, y Código Postal.							
(Si no	existe un domicilio, describe donde vive (no i	n cluya apartados postales, rutas rurales o d	dirección de	l trabajo)	Male Masculino						
					Female Femenino						
1	ing Address: Address, City, State, a			Date of Birth: Month, Day,							
1	ence address) <i>Dirección Postal: Núme</i> I ad, Estado, y Código Postal (Sino se		-	Fecha de Nacimiento: Mes,	Día, Año						
Ciuu	au, Estado, y Codigo Postal (Sino se	ривив впивуит соттво втзи и отпотвот выс	<i>ierrciui)</i>	l / /							
City	and County of Former Residence	City and County of Current Res	idonoo	Telephone Number (Optional	D. La aliada Anna Cada						
1 .	exas Ciudad y Condado de residencia	in Texas Ciudad y Condado de res		Teléfono (Opcional) – Incluya Có							
1	rior en Texas	actual en Texas									
Texa	s Driver's License Number or Texas	l : Personal Identification Card Nur	nber	If you do not have a Texas Driv	er's License or Personal Identification						
(Issu	ed by the Department of Public Safety)			Card, give the last 4 digits of yo	our Social Security Number. Si no tiene						
	ero de Licencia de Conducir de Texas o l e xas (Expedido por el Departamento de S		Personal	una Licencia de Conducir de Te. Identificación Personal, propor	xas o número de Tarjeta de cione los 4 últimos dígitos de su						
ue re	exus (Expedido poi el Departamento de S	segundad r ubicaj		número de Seguro Social.							
	I have not been issued a Texas Dr			,							
1.00	Yo no tengo una Licencia de Conducir de derstand that giving false informati										
1	e may result in imprisonment up to	-									
Entie	ndo que el dar información falsa para oi	otener una tarjeta de registro electoral	l constituy	e un delito de perjurio bajo las ley	ves estatales y federales. La condena						
1 '	ste delito puede resultar en encarcela m raciones antes de firmar	iento de hasta un año de cárcel, una n	nulta de h	asta \$4,000, o ambas cos as. Por j	favor, lea cada una de las tres						
1	declaraciones antes de firmar. • I am a resident of this County and a U.S. citizen; and										
1	• I have not been finally convicted of a felony, or, if a felon, I have completed all of my punishment including any term of incarceration,										
	parole, supervision, period of probation, or I have been pardoned; and										
•	 I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitate d or partially mentally incapacitated without the right to vote. 										
	Soy residente de este condado y ciudadano de los Estados Unidos; y										
1	No he sido finalmente condenado por un delito grave, o si soy un delincuente, he purgado mi pena por completo, incluyendo cua lquier plazo de										
_	encarcelamiento, libertad condicional, s No he sido determinado por un fallo fin				pacitado mentalmento o parcialmento						
•	incapacitado mentalmente sin derecho		i icolaiile	mana que estoy totalmente incap	очения пениятелье о ракчателье						
	Χ			Date:/	/						
L	/\			(fecha:)							
Sign	ature of Applicant or Agent and Re	lationship to Applicant or printed	d Name o	,	ess and Date.						
	a del solicitante o su agente (apoderado)										

NOTICE OF CARRIER DEFECT

Voter Notified of Carrier Envelope Defect by Phone or Email

Your Carrier Envelope has been received and reviewed, but is defective for the reason(s) checked below.

Texas law allows a voter to correct certain defects on his or her Carrier Envelope after the marked ballot has been returned to the Early Voting Clerk. Your Carrier Envelope is being held at the Early Voting Clerk's Office so that you can make the necessary corrections because there was not sufficient time to return your Carrier Envelope to you by mail. The defect(s) listed below are able to be corrected no later than the 6th day after Election Day by appearing in person at the Early Voting Clerk's Office.

person	u	the Early Voting Cick's Office.
There is	s a	a checkmark next to the reason(s) that your Carrier Envelope was Defective
1	1.	The Carrier Envelope you returned to the Early Voting Clerk was not signed.
2	2.	When the signature on your Application for Ballot by Mail was compared to the signature on your Carrier Envelope, it could not be immediately determined that the signatures were made by the same person.
3	3.	A required Statement of Residence was not included in the Carrier Envelope you returned to the Early Voting Clerk.
	4.	Your Carrier Envelope did not contain your Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number or the Last 4 digits of your Social Security Number; OR
		the number provided did not match the number associated with your voter registration record as provided by your County's Voter Registrar; OR
		if you were not issued one of the documents with the required number, you did not indicate this fact or the Carrier Envelope
5	5.	The Carrier Envelope you returned to the Early Voting Clerk contained incomplete information with

How to Correct a Defect on Your Carrier Envelope by Appearing in Person at the Early Voting Clerk's Office

Defects number 1, 2, 3, and 5 can be corrected by completing the Corrective Action Form included with your notification of defect. You must deliver the completed Corrective Action Form in person to the Early Voting Clerk's Office.

Defect Correction Process by Number

respect to a witness.

- Defect #1 Complete and sign the Signature Box on the Corrective Action Form.
- Defect #2 Complete and sign the Signature Box on the Corrective Action Form.
- Defect #3 Complete and sign the Statement of Residence portion of the Corrective Action Form.
- **Defect #4** You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov or by providing your personal identification information in Box #4 of the Corrective Action Form. If you use the Corrective Action Form, you must complete and sign the Signature Box.
- **Defect #5** If you used a witness for your Carrier Envelope because you were not able to sign or make your mark and the witness information was missing or incomplete, please ask a witness to complete the witness portion of the Corrective Action Form. You may use a different person as a witness if the same person is not available.
 - **NOTE:** If you no longer need a witness, you must be able to sign or make your mark on the Corrective Action Form in the Signature Box.

Correcting Defect #4 Using the Ballot by Mail Tracker

You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov or by delivering the Corrective Action Form to the Early Voting Clerk's Office no later than the 6th day after Election Day. When you log into the Ballot by Mail Tracker, you will have the opportunity to enter your personal identification number(s). Both your Texas Driver's License or Texas Personal Identification Card number AND your Social Security number must be associated with your voter registration record to use the Ballot by Mail Tracker. Once your personal identification number is validated by the Ballot by Mail Tracker, the Carrier Envelope you previously submitted will be processed. Once your corrective action has been reviewed, the date of review and the status of your Carrier Envelope will be displayed on the Ballot by Mail Tracker. You do not have to appear in person at the Early Voting Clerk's Office if you make your correction online.

To utilize the Ballot by Mail Tracker, you must enter:

- Your Texas Driver's License Number or Texas Personal Identification Number, AND
- The last four digits of your social security number AND
- Your residence address as listed in your voter registration record

Cancelling Your Ballot by Mail - If you do not wish to correct the defect, you may still vote in person by cancelling your Ballot by Mail. If you cancel your Ballot by Mail in person at the Early Voting Clerk's Office, you will be given a Notice of Surrendered Ballot to take to the polls. This entitles you to vote a regular ballot. If you do not cancel at the Early Voting Clerk's Office, you will be able to vote a Provisional Ballot at the polling place. You may not vote in person after Election Day.

If you have any questions or concerns about making a correction to your Carrier Envelope please contact the Early Voting Clerk's Office at:

Phone Number of Early Voting Clerk	Signature of Reviewing Election Official	Printed Name of Election Official

Prescribed by the Secretary of State Sections 63,0011, 87.0271, 87.0411 Texas Election Code 1/2022

Authority Conducting the Election (Autoridad Administrando la Elección)	Date of Correction (Fecha de la Corrección)
Title of Election (Título de la Elección)	Printed Name of Early Voting Clerk's Representative Nombre de Representante del Secretario de Votación Adelantada

	CORREC	TIVE ACTION FORM FOR D	EFECTIVE CARRIER	ENVELOPE						
Nam	Name of Voter (Nombre del Votante) Voter's VUID# (Número de registración del votante (VUID#))									
	Early Voting Clerk: Circle the number(s) to indicate the voter's Carrier Envelope Defect(s)									
1.										
2.	Signature on Carrier Envelope Certificate Could Not Immediately be Determined to be That of the Voter (No se pudo determinar inmediatamente que la firma en el Certificado del Sobre de Envío es la del votante)									
3.	•	e Was Not Included with the Carrier Enve anente requerida no se incluyó con el Sob	•							
4.	=	ntification Numbers or Social Security Nu nal o Número de Seguro Social faltantes o								
		or	(o)							
	Texas Driver's License or Texas Pe			Social Security Number						
	(Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas) (Los 4 últimos dígitos de número de Seguro Social) I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number									
		cia de Conducir de Texas o Tarjeta de Identifica		de Seguro Social.						
5.	Incomplete Information with Res	pect to a Witness (Información incomple	ta con respecto a un testigo)							
	Signature of Witness (Firma del te	estigo)	Printed Name of Witness	(Nombre en letra de molde del testigo)						
	Street Address of Witness (Domic									
×		, on/ submature below, I attest that all information								
е Вох	(Yo,	en el día <u>//</u>	presento este formulario para	corregir el defecto en mi Sobre de						
ignature	Envio que se identificó anteriorme	nte. Con mi firma a continuación, doy fe d		he dado es verdadera y correcta).						
Sign		X								
		*	Signature of Voter (Fire	ma del Votante)						
		NT OF RESIDENCE (CONSTANCIA		•						
		dence address does not match the voter i uya dirección no coincide con la que apai								
Last	Name Include suffix, if any	First Name	Middle Name (if any)	Former Name						
Apel (Jr., Si	lido Incluir sufijo, si lo hay ·	Nombre de Pila	Segundo Nombre (si lo hay)	Apellido Anterior						
	dence Address: Street Address and le, describe where you live. (Do not include P	Apartment Number, City State, and Zip. O. Box, Rural Route, or Business Address)		Gender (Optional) Sexo (Opcional)						
Dom	icilio Residencial: Número y calle,	y número de apartamento, Ciudad, Estac		Male Masculino						
(SI no	existe un domicillo, describe donde vive (no il	ncluya apartados pastales, rutas rurales o dirección d	ei trabajoj	Female Femenino						
Mail	ing Address: Address. City. State. a	ind Zip (If mail cannot be delivered to your	Date of Birth: Month, Day,							
reside	ence address) Dirección Postal: Núme	ro y calle, y número de apartamento,	Fecha de Nacimiento: Mes,							
Ciud	ad, Estado, y Código Postal (Si no se	puede entregar correo en su domicilio residencial)	/_							
City	and County of Former Residence	City and County of Current Residence	Telephone Number (Optional	I) Include Area Code						
in Te	xas Ciudad y Condado de residencia ior en Texas	in Texas Ciudad y Condado de residencia actual en Texas	Teléfono (Opcional) – Incluya Có							
		Personal Identification Card Number		er's License or Personal Identification						
,	ed by the Department of Public Safety) <i>ero de Licencia de Conducir de Texas o l</i>	Número de Tarjeta de Identificación Personal	una Licencia de Conducir de Te	our Social Security Number. Si no tiene xas o número de Tarjeta de						
	xas (Expedido por el Departamento de S		Identificación Personal, propor número de Seguro Social.	cione los 4 últimos dígitos de su						
			namero de Seguro Social.							
П		iver's License or Personal Identification C								
Lune	-	de Texas o Tarjeta de Identificación Personal d on to procure a voter registration is peri								
l		one year in jail, a fine up to \$4,000, or l	••							
		otener una tarjeta de registro electoral constitu iento de hasta un año de cárcel, una multa de l								
	por este delito puede resultar en encarcela miento de hasta un año de cárcel, una multa de hasta \$4,000, o ambas cosas. Por favor, lea cada una de las tres declaraciones antes de firmar.									
	 I am a resident of this County and a U.S. citizen; and I have not been finally convicted of a felony, or, if a felon, I have completed all of my punishment including any term of incarceration, 									
l	• Thave not been finally convicted of a relony, of, if a relon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and									
l	• I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially									
	mentally incapacitated without the right to vote. • Soy residente de este condado y ciudadano de los Estados Unidos; y									
٠	No he sido finalmente condenado por un delito grave, o si soy un delincuente, he purgado mi pena por completo, incluyendo cualquier plazo de									
	encarcelamiento, libertad condicional, supervisión, periodo de libertad condicional, o he sido indultado; y No he sido determinado por un fallo final de un corte que ejerce la jurisdicción testamentaria que estoy totalmente incapacitado mentalmente o parcialmente									
	incapacitado mentalmente sin derecho a voto									
				,						
	X		Date: / (fecha:)	/						
_ L	sture of Applicant of Applicant	Intigraphin to Appellance on contract day								
	ignature of Applicant or Agent and Relationship to Applicant or printed Name of Applicant if Signed by Witness and Date. irma del solicitante o su agente (apoderado) y relación de éste con el solicitante, o nombre en letra de molde del solicitante si la firma es la de un testigo, y fecha.									

The State of Texas

Elections Division P.O. Box 12060 Austin, Texas 78711-2060 www.sos.state.tx.us



Phone: 512-463-5650 Fax: 512-475-2811 Dial 7-1-1 For Relay Services (800) 252-VOTE (8683)

ELECTION ADVISORY NO. 2022-08

TO: Election Officials

FROM: Keith Ingram, Director, Elections Division

DATE: January 28, 2022

RE: NEW LAW: Senate Bill 1 – Opportunity to Correct Defects on Application for a

Ballot by Mail and Carrier Envelope

Senate Bill 1 (87th Leg., 2nd C.S., 2021) added new identification requirements related to the ballot by mail process. SB 1 took effect on December 2, 2021. Any elections ordered on or after December 2, 2021, must adhere to the changes in law made by SB 1 and the procedures outlined in this advisory.

This advisory details the new requirements on the Application for Ballot by Mail (ABBM) form and the carrier envelope, and it outlines the new process that allows voters to correct certain defects on their ABBM or carrier envelope. As authorized by the Legislature, the Secretary of State is prescribing these procedures to implement the corrective action process mandated in SB 1. (Secs. 87.0271(f), 87.0411(f), Texas Election Code).

All statutory references in this advisory are to the Texas Election Code ("the Code"), unless otherwise indicated.

New Requirements for Application for Ballot by Mail (ABBM)

As amended by SB 1, Section 84.002 of the Election Code provides that a voter who seeks to vote by mail must include one of the following on their ABBM:

- The number of the applicant's driver's license, election identification certificate (EIC), or personal identification card issued by the Department of Public Safety (DPS);
- The last four digits of the applicant's social security number, if the applicant has not been issued a DPS number; or
- A statement that the applicant has not been issued one of these numbers. (Sec. 84.002(a)(1-a)).

A person may use the number of a DPS-issued driver's license, EIC, or personal identification card that has expired for the purpose of fulfilling the identity requirements in Section 84.002(a)(1-a) if the license or identification is otherwise valid. (Sec. 84.002(b-1)).

The official ABBM form has been revised to include a space for the required identification information. (Sec. 84.011). If a voter requests an ABBM form, the county must send the new form that includes a space for the identification information. If a voter uses an old version of the ABBM form, the early voting clerk must follow the procedures outlined below in rejecting the application. Please be advised that there are other changes to the ABBM form that will be addressed in a separate advisory.

Requirements for Processing Applications for Ballot by Mail

It is the early voting clerk's responsibility to review applications for ballot by mail, determine whether the applicant is entitled to vote by mail, and provide ballot materials to the voter. (Secs. 86.001, 86.002).

Section 86.001 outlines the process that an early voting clerk must follow when reviewing a voter's submitted ABBM. Among other things, the early voting clerk must verify that the personal identification information provided by the voter on the application—i.e., a DPS-issued driver's license, EIC, or personal identification card number, the last four digits of the applicant's social security number, or a statement that the applicant has not been issued any of these numbers—identifies the same voter identified on the applicant's voter registration record. (Sec. 86.001(f)).

If the voter fails to provide any of the required identification information on the ABBM or the information provided by the voter on the ABBM does not match the information on the voter's voter registration record, the early voting clerk shall reject the ABBM and provide notice of the rejection (Form 6-3, Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number). Similarly, if the voter provides one or both of the required identification numbers but the voter's voter registration record does not contain either number, the early voting clerk must reject the ABBM and promptly notify the voter of the rejection (Form 6-4, Notice of Rejected Application for Ballot by Mail - Required Personal Identification Number Not Associated with Voter Record).

These SOS-prescribed notices include instructions on how the voter can correct the applicable defect online, as required by Section 86.001(f-1). If the rejection occurs on or before the 18th day before election day, the early voting clerk must also send the voter a new ABBM along with the rejection notice. (Sec. 86.008). Section 86.008(d) further provides that the early voting clerk may deliver a second ABBM to a voter in person if the defective original ABBM is timely and the clerk may receive, before the deadline, the corrected ABBM in person from the voter, as long as the clerk applies these procedures uniformly to all ABBMs covered by the subsection.

Below, we discuss several scenarios that early voting clerks may encounter in reviewing ABBMs, and we outline the opportunities provided to voters to cure certain ABBM defects, including additional information regarding the forms that the SOS has prescribed for early voting clerks to send voters when notifying them that their ABBMs have been rejected.

Possible Scenarios:

• **Scenario 1**: Voter provides a DPS-issued driver's license number on the ABBM. The early voting clerk validates that this number matches the driver's license number in the voter's voter registration record. If the voter is otherwise eligible to vote by mail, the early voting clerk must accept the ABBM and send a ballot to the voter.

- Scenario 2: Voter provides a DPS-issued driver's license number on the ABBM. The
 early voting clerk is unable to validate this number, as the voter registration record
 contains the voter's social security number but not a driver's license number. The early
 voting clerk must reject the ABBM and provide notice of the rejection, which must
 include information explaining how to correct or add information to cure the defect. (Sec.
 86.001(f-1)). See Notice of Rejected Application for Ballot by Mail Missing or Incorrect
 Personal Identification Number.
 - NOTE: If a voter has not provided the required personal identification information by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).
- Scenario 3: Voter provides the last four digits of their social security number on the ABBM. The voter registration record contains a driver's license number and social security number. The early voting clerk is able to validate that the partial social security number on the ABBM matches the number in the voter's registration record. The early voting clerk must accept the ABBM and send a ballot to the voter.
 - NOTE: As a reminder, the early voting clerk's obligation in reviewing the identification information on an ABBM is to determine if the information provided by the voter on the ABBM identifies the same voter identified on the applicant's voter registration record. (Sec. 86.001(f)).
- Scenario 4: Voter indicates on their ABBM that they have not been issued any of the required personal identification numbers, but the voter registration record contains one or both numbers. The early voting clerk must reject the ABBM and provide notice of the rejection, which must include information explaining how to correct or add information to cure the defect. (Sec. 86.001(f-1)). See Notice of Rejected Application for Ballot by Mail

 Missing or Incorrect Personal Identification Number.
 - NOTE: If a voter has not provided the required personal identification information by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).
- Scenario 5: Voter provides one of the required personal identification numbers on their ABBM, but the voter's voter registration record does not contain either number. The early voting clerk must reject this ABBM and provide notice of the rejection, which must include instructions on how the voter can update their voter registration record to include the personal identification numbers. (Sec. 86.001(f)). See Notice of Rejected Application for Ballot by Mail Required Personal Identification Number Not Associated with Voter Record.
 - NOTE: A voter cannot vote by mail unless at least one of the required numbers is added to the voter's registration record. If the ABBM is otherwise valid, the voter must be given the opportunity to update their voter registration record in order to finish processing the ABBM. The early voting clerk will need to re-check ABBMs in this category to determine if the voter updated their voter registration record with one or more required personal identification numbers. If a voter has not updated their voter registration record by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).
- Scenario 6: Voter provides both types of personal identification numbers (ex. driver's license number and last four digits of social security number) on their ABBM. The voter registration record contains both types of personal identification numbers; one number on the ABBM matches the record, but the other does not match. Because the early

voting clerk is able to validate one of the numbers to the voter's voter registration record (and thus verify the identity of the voter), the clerk must accept the ABBM and send a ballot to the voter.

- Scenario 7: Voter provides both types of personal identification numbers (ex: driver's license number and last four digits of social security number) on their ABBM. The voter registration record only contains the social security number, which matches with the partial number on the ABBM. The early voting clerk must accept the ABBM and send a ballot to the voter.
- Scenario 8: Voter indicates on the ABBM that they have not been issued any of the
 required personal identification numbers. If the voter's voter registration record does not
 contain any of these numbers, the early voting clerk must accept the ABBM and send a
 ballot to the voter.
- Scenario 9: The voter uses an old ABBM form that does not contain any of the required identification information or leaves the personal identification information section blank and does not indicate that they have not been issued any of the required numbers. The early voting clerk must reject the ABBM and provide notice of the rejection, which must include information explaining how to correct or add information to cure the defect. (Sec. 86.001(f-1)). See Notice of Rejected Application for Ballot by Mail Missing or Incorrect Personal Identification Number.
 - NOTE: If a voter has not provided the required personal identification information by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).

Opportunity to Correct Rejection of ABBM

As described above, if the early voting clerk rejects an ABBM because the voter failed to provide any of the required identification information or the information included on the ABBM does not match the voter's voter registration record, the early voting clerk must provide the voter with notice of the rejection in accordance with Section 86.001(c). (Sec. 86.001(f-1)). The notice must include information explaining how to correct the defect by using the online Ballot by Mail Tracker, available at www.votetexas.gov. (Sec. 86.001(f-1)). The SOS has prescribed Notice of Rejected Application for Ballot by Mail — Missing or Incorrect Personal Identification Number (Form 6-3) for this rejection notice. If the applicant corrects the missing or incorrect number by validating the required information through the Ballot by Mail Tracker, and this information subsequently identifies the same voter identified on the applicant's voter registration record, the early voting clerk shall provide a ballot to the applicant. (Sec. 86.001(f-2)).

NOTE: The early voting clerk should retain the documentation from TEAM that shows the voter validated their personal identification number(s). This documentation should be retained with the voter's original ABBM and provided to the early voting ballot board so that the board is notified that the defect has been cured.

If the early voting clerk rejects an ABBM because the voter's voter registration record does not contain any of the personal identification information provided on the ABBM, the clerk must offer the voter an opportunity to correct this defect. The notice must include instructions on how the voter can update their voter registration record to include one or more of the required identification numbers by submitting a new voter registration application to the registrar or by validating their personal identification numbers on texas.gov. The SOS has prescribed Notice of Rejected Application for Ballot by Mail — Required Personal Identification Number Not Associated with Voter Record (Form 6-4) for this rejection notice.

Missing or incorrect personal identification information on the ABBM or the voter registration record is the only defect that can be corrected on an ABBM. If the application is rejected on any other grounds, a voter must submit a new ABBM if they still wish to vote by mail instead of voting in person. (Secs. 86.001(c), (f), (f-1), 86.008).

Any written notice of an ABBM rejection must state the reason for the rejection and be delivered to the voter at both the voter's residence address and the mailing address on the ABBM, if different. Additionally, if the voter provided an email address on the ABBM, the early voting clerk may also send notification by email of the reason for rejection. (Sec. 86.001(c)).

Please see pages 18-20 of this advisory for additional information regarding forms that SOS has prescribed for use in notifying voters of rejected ABBMs.

Deadline to Correct Defects in Application for Ballot by Mail

If a voter receives a Notice of Rejected Application for a Ballot by Mail or the voter logs into the Ballot by Mail Tracker and sees that there is missing or incorrect personal identification information, the voter must either (1) complete the required validation on the Ballot by Mail Tracker no later than the 11th day before election day, or (2) complete a new ABBM that must be received by the early voting clerk no later than the 11th day before election day. (Secs. 84.007(c), 86.015).

The early voting clerk must review all pending ABBMs that were initially rejected due to missing or incorrect personal identification information. If the applicant did not subsequently provide the missing or corrected identification information, the early voting clerk should send a final rejection notice. The early voting clerk can use the standard Notice of Rejected Application for Ballot by Mail form (Form 6-2) and mark reason 16 on the form.

If a voter corrects a defective ABBM after early voting by personal appearance has begun, the early voting clerk should confirm that the voter did not vote in person before sending balloting materials to the voter.

Please review the Secretary of State's election law calendar for additional details about ballot by mail deadlines.

New Requirements for Carrier Envelope

As amended by SB 1, Section 86.002 requires that the carrier envelope include a space that is hidden from view when the envelope is sealed for the voter to enter one of the following: (1) the number of the voter's driver's license, EIC, or personal identification card issued by DPS; (2) the last four digits of the voter's social security number, if the voter has not been issued a DPS number; or (3) a statement that the applicant has not been issued one of these numbers. (Sec. 86.002(g)).

The carrier envelope has been updated to include a place for the voter to add an email address and/or telephone number so that the early voting ballot board or signature verification committee can contact the voter to notify them of a defect in their carrier envelope. Please note that there are other changes to the carrier envelope that will be addressed in a separate advisory.

New Comparison Requirements for Early Voting Ballot Board (EVBB) and Signature Verification Committee (SVC)

Section 87.041 directs the early voting ballot board to determine whether to accept a voted ballot by mail and provides that a ballot can be accepted only if it meets several specified requirements. Based on changes to this provision made by SB 1, the EVBB must now review additional information when qualifying a voted ballot by mail. The EVBB shall only accept a voted ballot by mail if, among other things, the personal identification information provided by the voter on the carrier envelope identifies the same voter identified on the voter's voter registration record. (Sec. 87.041(b)(8)). In performing its assigned duties, the signature verification committee, if established, may also review the personal identification information on the voter's carrier envelope. (Secs. 87.027, 87.0271). If the voter includes an identification number on the carrier envelope, the number on the carrier envelope does not have to match the type of number on the voter's ABBM as long as they are both associated with the voter's registration record.

Rebuttable Presumption

Under Section 87.041, if the voter provides personal identification information on the carrier envelope that matches the voter's registration record, the signatures on the ABBM and the carrier envelope shall be rebuttably presumed to be the signatures of the voter. (Sec. 87.041(d-1)). Thus, the only way to reject a mail ballot due to a signature mismatch is for a member of the SVC or EVBB to rebut this presumption. The presumption may be rebutted by presenting other past signatures on file with the early voting clerk or voter registrar that would support a finding that the signatures on the carrier envelope and ABBM are not those of the same voter.

Any findings by the SVC that the signatures are not those of the same voter can be overridden by the EVBB. (Sec. 87.027(j)). This decision can be overridden even in circumstances when the voter has been provided an opportunity to correct a signature mismatch (notified by phone or email of the defect and subsequent corrective action process), but the voter did not complete the corrective action process. (Sec. 87.027(j)).

Possible Scenarios:

- Scenario 1: Voter provides a personal identification number on the carrier envelope that matches the number in the voter's voter registration record. The SVC or EVBB has completed the verification of personal identification information and should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.
- Scenario 2: Voter provides a personal identification number on the carrier envelope that matches the number in the voter's voter registration record, but it is a different type of number than what the voter listed on the ABBM. (Example: Voter provided last four digits of social security number on ABBM and a driver's license number on carrier envelope.) Because the voter's voter registration record contains both personal identification numbers, the SVC or EVBB is able to verify the voter's identity. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.

- Scenario 3: Voter provides the last four digits of their social security number on the
 carrier envelope. The voter registration record contains a driver's license number and
 social security number. The SVC or EVBB is able to validate that the partial social
 security number on the carrier envelope matches the number in the voter's voter
 registration record. The SVC or EVBB should perform its remaining duties in the ballot
 review process. If the SVC or EVBB does not identify any other ground for rejection, the
 ballot would be accepted.
 - NOTE: As explained above with respect to the early voting clerk's acceptance of ABBMs, the obligation of the SVC or EVBB in reviewing the identification information on a carrier envelope is to determine if the information provided by the voter on the envelope identifies the same voter identified on the voter's voter registration record. (Secs. 87.027, 87.0271, 87.041(b)(8), 87.0411).
- Scenario 4: Voter indicates on the carrier envelope that they have not been issued any
 of the required personal identification numbers, and the voter's voter registration record
 does not contain any of these numbers. The SVC or EVBB has completed the
 verification of personal identification information, and it must rely on the signature
 comparison process for this part of the review. The SVC or EVBB should perform its
 remaining duties in the ballot review process. If the SVC or EVBB does not identify any
 other ground for rejection, the ballot would be accepted.
- Scenario 5: Voter provided one of the required personal identification numbers on the ABBM that matched the voter's voter registration record, but the voter does not include an identification number on the carrier envelope. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope, as described in more detail below. If the voter timely corrects the defect, and there are no other grounds for rejection, the ballot would be accepted.
- Scenario 6: Voter provided one of the required personal identification numbers on the ABBM that matched the voter's voter registration record, but the voter indicates on the carrier envelope that they have not been issued one of the applicable identification numbers. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope. If the voter timely corrects the defect, and there are no other grounds for rejection, the ballot would be accepted.

Signature Verification Committee Corrective Action Process

SB 1 added Section 87.0271 of the Code to provide a process by which the signature verification committee, if established, shall offer voters the opportunity to correct certain defects in the required paperwork associated with a voted mail ballot. The signature verification committee is created by the early voting clerk and can be appointed for any election. (Sec. 87.027(a)). The signature verification committee may begin meeting as early as 20 days before election day. (Sec. 87.027(f)).

Because the early voting ballot board in counties with a population of under 100,000 are not permitted to meet to qualify mail ballots until the end of the period for early voting by personal appearance, the Secretary of State's office strongly recommends that all entities create a signature verification committee so that voters will be timely notified of defects in their carrier envelopes. See Section 87.027 for more details on the creation and administration of a signature verification committee.

The following defects are eligible for correction when identified by the signature verification committee (Sec. 87.0271(a)):

- The voter did not sign the carrier envelope certificate.
- The SVC cannot determine whether the signature on the carrier envelope is that of the voter
- The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
- If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.

NOTE: Incomplete information about an assistant cannot be corrected and will result in a rejected mail ballot, but the voter may still vote in person if otherwise eligible.

Only the early voting ballot board has the authority to open a carrier envelope for those voters who submitted their request using an ABBM. (Sec. 87.041(a)). As the SVC does not have the authority to open a carrier envelope, the SVC is unable to determine whether a carrier envelope contains a completed statement of residence (SOR). Because the authority to open a carrier envelope to determine whether a voter submitted a completed SOR lies solely with the early voting ballot board, the SVC cannot notify voters of defects related to a missing SOR.

The signature verification committee can open a sealed carrier envelope, or envelope used for mailing the voted ballot and balloting materials, for voters who submitted their request to vote by mail using an FPCA, as signature sheets are expressly authorized for this process.

Early Voting Ballot Board Corrective Action Process

SB 1 also added Section 87.0411 of the Code to provide a process by which the early voting ballot board shall offer voters the opportunity to correct certain defects on their carrier envelope or in the required paperwork associated with the voted mail ballot. The first day that an EVBB can convene to qualify mail ballots depends on the size of the county, and for local political subdivisions (city, school, water district, etc.) contracting with a county. As noted above, the early voting ballot board in counties with a population of under 100,000, and in local entities that are not contracting with a county, are not permitted to meet to qualify mail ballots until the end of early voting by personal appearance. (Secs. 87.022, 87.0222).

The following defects are eligible for correction when identified by the early voting ballot board (Sec. 87.0411(a)):

- The voter did not sign the carrier envelope certificate.
- The EVBB cannot determine whether the signature on the carrier envelope is that of the voter.
- The voter did not include the required statement of residence.
- The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
- If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.

NOTE: Incomplete information about an assistant cannot be corrected and will result in a rejected mail ballot, but the voter may still vote in person if otherwise eligible.

Corrective Action Process Timelines

The SVC or EVBB has two methods by which they can notify a voter of their ability to correct one or more of the defects outlined above.

Returning the Carrier Envelope by Mail: If the SVC or EVBB determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB must mail the original defective carrier envelope to the voter. This determination must be made not later than the second business day after the SVC or EVBB discovers a defect, and before the SVC or EVBB decides whether to accept or reject a timely delivered mail ballot. (Secs. 87.0271(b), 87.0411(b)).

Notifying the Voter by Phone or Email: If the SVC or EVBB determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB may notify the voter of the defect by telephone or email and inform the voter that the voter may come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. (Secs. 87.0271(c), 87.0411(c)).

If the SVC or EVBB takes one of the actions described above, the committee or board must take that action with respect to each ballot in the election to which these options apply. (Secs. 87.0271(d), 87.0411(d)).

Recommended Timelines/Plan for the SVC and EVBB

The SOS recommends that before qualifying mail ballots, the early voting clerk meet with the SVC or EVBB to determine dates to convene and to establish timelines for the corrective action process. (Secs. 87.0411, 87.0271).

Establishing Timelines and Guidelines for the Corrective Action Process

- The SVC or EVBB must set a uniform policy for when carrier envelopes will be mailed to the voter versus when voters will be notified of the defect by phone or email. See recommendations below regarding establishing a specific deadline for transitioning to phone/email notification.
- The SVC or EVBB should determine whether it will notify voters of a defect by both phone and email, if both are available.
- The SVC or EVBB should establish a policy for making multiple attempts to reach a voter if it is unsuccessful in reaching a voter by phone or email on the first attempt.

Recommended Timelines for Notification Process

When the SVC or EVBB is determining whether there is adequate time to return a defective carrier envelope to the voter by mail, we strongly recommend that it takes into account postal delivery time frames. According to the <u>United States Postal Service</u> (USPS), first-class delivery can take up to five business days. Because a defective carrier envelope needs to be returned to the voter, and then mailed back to the early voting clerk, the SOS recommends that the SVC or EVBB implement a policy to provide notification of a defect by phone or email to all voters whose ballots are reviewed by the SVC or EVBB on or after the 14th day before election day (approximately 10 business days). Although early voting ballot boards in counties with a population of 100,000 or greater cannot begin meeting until 12 days before election day, the SVC is authorized to return a defective carrier envelope by mail during this time.

Rolling Review of Carrier Envelopes

To ensure that voters are given the maximum amount of time to correct a defective carrier envelope, the SOS recommends that the SVC or EVBB meet on the first possible day allowed under the Texas Election Code to qualify all mail ballots received up until that point (as identified in the chart below). The SOS recommends the SVC or EVBB continue their qualification of ballots on a rolling basis throughout the authorized meeting period to ensure that voters who are eligible to correct defects are notified as quickly as possible of the defect and their correction options. Notice of all SVC or EVBB meeting times should be posted timely to ensure that poll watchers are aware of when the SVC or EVBB meetings will occur.

	First Day Mail Ballots can be Reviewed	Texas Election Code Section	
Signature Verification Committee (All counties and local political subdivisions)	20th day before election day	Sec. 87.027(f)	
Early Voting Ballot Board (Counties with a population of 100,000 or more)	12th day before election day	Sec. 87.0222(a)	
Early Voting Ballot Board (Counties with a population under 100,000)	4th day before election day	Sec. 87.022	

Methods of Correcting Defects in Carrier Envelope

Correcting Defect by Returning Carrier Envelope by Mail

If the SVC or EVBB determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB shall return the original carrier envelope containing the voter's marked ballot to the voter by mail to allow the voter to correct the defect. (Secs. 87.0271(b), 87.0411(b)).

When the carrier envelope is sent to the voter for corrective action, the voter MUST return the carrier envelope by 7:00 p.m. on election day. If the voter is hand-delivering the carrier envelope to the early voting clerk's office on election day, it must be received by the early voting clerk no later than 7:00 p.m. Only the voter may hand-deliver their carrier envelope, and the voter must present a valid form of voter ID (either a List A ID or a List B ID with reasonable impediment declaration) at the time of delivery.

Procedures

The SOS recommends that when preparing to return the voter's carrier envelope containing the voter's marked ballot, the SVC or EVBB take several actions, including the following:

- 1. Stamp or mark the voter's carrier envelope with the words "Corrective Action Required."
- 2. Note the appropriate defect on the Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail.

- 3. Mail the voter's defective carrier envelope along with the Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail. The early voting clerk should include an envelope for the voter to return the corrected carrier envelope to the early voting clerk. This envelope should contain the Official Election Mail logo prescribed by the USPS. The voter must be notified if the return envelope needs additional postage.
- 4. Enter the voter's information on the Roster of Voters with Defective Carrier Envelopes Returned to the Voter by Mail.

Correcting Defect by Appearing in Person at Early Voting Clerk's Office

If the SVC or EVBB determines that it would not be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB may notify the voter of the defect by telephone or email and inform the voter that the voter may come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. The SVC or EVBB must also inform the voter that he or she may request to have their application for ballot by mail cancelled in a manner described by Section 84.032. (Secs. 87.0271(c), 87.0411(c)).

Upon appearing at the early voting clerk's office, the voter will be asked to submit the Corrective Action Form for Defective Carrier Envelope. This form allows the voter to provide the information necessary to address the defects in their carrier envelope.

Procedures

The SOS recommends that when notifying the voter of a defect, the SVC or EVBB take certain actions, including the following:

• If notifying by email:

- 1. Send the voter the Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email via email.
- 2. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes Notified by Phone or Email, and the action taken by the voter should be noted on the roster.
- 3. Parameters for Email Notification: The SOS recommends that the early voting clerk set up an email address for corrective action notifications. The early voting clerk and the SVC or EVBB should establish rules and procedures for utilizing this email address. Any emails sent or received through the corrective action process are considered election records under the Election Code, are subject to the Public Information Act, and should be retained by the general custodian of election records. The general custodian should consult with their attorney regarding any requests for such emails, as certain information may be exempt from disclosure under the Public Information Act.

• If notifying by phone:

1. Contact the voter using any known phone number on file with the early voting clerk or in the possession of the SVC or EVBB.

NOTE: As a reminder, the voter registrar may not transcribe, copy or otherwise record a telephone number furnished on a voter registration application. (Sec. 13.004). The SVC or EVBB may be able to review a voter registration application at the voter registrar's office to obtain a phone

- number. The registrar may also read a phone number from a voter registration application to a member of the SVC or EVBB, if necessary.
- 2. The SVC or EVBB should create a phone script that explains to the voter that the voter's mail ballot was received by the early voting clerk's office and has been reviewed by the SVC or EVBB, whichever is applicable.
- 3. The SOS recommends that the SVC or EVBB confirm the voter's identity using publicly available information.
 - **Example**: Ask the voter to confirm their voter registration address and whether they requested a mail ballot for the given election.
- 4. The voter should be told that upon review of the carrier envelope, the SVC or EVBB discovered a defect in the carrier envelope. The specific defect should be explained.
- 5. The SVC or EVBB should explain the process for the voter to correct the defect in the carrier envelope as well as the process to cancel their mail ballot and vote in person during early voting or on election day.
- 6. The SVC or EVBB should provide a return phone number that the voter may use to confirm that they were contacted by the SVC or EVBB. The number provided should be the number of the early voting clerk's office so the voter can verify this information and obtain details about the corrective action process during times that the SVC or EVBB are not meeting.
- 7. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes Notified by Phone or Email, and the action taken by the SVC or EVBB should be noted on the roster.

• If the SVC or EVBB is unable to contact the voter:

- 1. The SVC or EVBB should leave a detailed message explaining that the SVC or EVBB determined there was a defect in the voter's carrier envelope and explain the process for correcting the defect.
- 2. The SVC or EVBB should NOT provide any details related to a voter's personally identifiable information on a voicemail or with a person who is not the voter.
- 3. The SVC or EVBB should leave a return number that the voter may use to validate the information provided by phone.
- 4. The SVC or EVBB should mail the voter a Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.
- 5. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes Notified by Phone or Email, and the action taken by the SVC or EVBB should be noted on the roster.
- If the SVC or EVBB does not have a phone number or email to notify the voter: The SVC or EVBB should mail a Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.

If a voter's carrier envelope has a defect that may be corrected, the SVC or EVBB must provide this status information to the county early voting clerk, who submits the information via TEAM to update the Ballot by Mail Tracker.

Any actions taken by the SVC or EVBB shall be uniformly applied to every ballot in the election to which this procedure applies. (Secs. 87.0271(d), 87.0411(d)). A poll watcher is entitled to observe any action taken by the SVC or EVBB related to the corrective action process. (Secs.

87.0271(e), 87.0411(e)). Poll watchers may not transcribe or make notes of any voter's personally identifiable information while observing the activities of the SVC or EVBB.

Correcting Certain Defects Through Ballot by Mail Tracker

If the SVC or EVBB determines that the identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information, the voter may cure this defect through the SOS's Ballot by Mail Tracker. However, if the SVC or EVBB has returned the voter's carrier envelope by mail for correction, the voter also MUST return the carrier envelope to the early voting clerk no later than 7:00 p.m. on election day for the ballot to be processed and counted. (Secs. 87.0271(b), 87.0411(b)). The Notice of Carrier Defect form provides information on how to utilize the tracker. Information validated through the Ballot by Mail Tracker should be provided to the EVBB for their final review of the ballot before determining acceptance or rejection.

If a voter's carrier envelope has a defect that may be corrected, the SVC or EVBB must give this information to the early voting clerk, who submits it via TEAM to update the tracker.

Correcting Defect by Cancellation

If the voter received a defective carrier envelope in the mail or was notified by telephone or email about a defect, the voter may request to have their ABBM/marked ballot cancelled in accordance with Section 84.032. If the voter has possession of the defective carrier envelope, it may be surrendered at an early voting or election day polling place in order to vote a regular ballot in person. The voter may also surrender the ballot at the early voting clerk's office and be given a Notice of Surrendered Ballot by Mail to take to the polling place and vote a regular ballot.

Cancellation Options

After receiving a Notice of Carrier Defect by mail or receiving notification via email or phone, the voter may opt to cancel their ballot by mail and vote a regular ballot in person. All cancellations must be completed in accordance with Section 84.032. If the voter is an Annual ABBM voter, a cancellation request submitted for these purposes applies only to the current election unless the voter specifically requests to cancel their Annual ABBM. (Sec. 84.038).

- Cancellation by Surrendering Mail Ballot at Polling Place During Early Voting or on Election Day: If a voter has possession of their mail ballot, they may surrender that ballot at any early voting or election day polling place. Upon surrendering the ballot and completing the Application to Cancel a Ballot by Mail for Use in the Polling Place form, the voter will be given a regular ballot for voting. (Sec. 84.032(c), (d)).
- Cancellation at Polling Place Without Surrendering Mail Ballot: If a voter appears at a polling place during early voting or on election day after receiving a Notice of Carrier Defect, but does not have the defective carrier envelope to surrender, the voter may complete the Application to Cancel a Ballot by Mail for Use in the Polling Place form. The voter should vote provisionally and the election judge should check reason #4 on the Affidavit of Provisional Voter Envelope. (Secs. 84.032(c), 84.035(b)).
- Cancellation at Early Voting Clerk's Office
 - If the voter appears at the early voting clerk's office and submits a cancellation request in writing and surrenders the mail ballot, the voter will be permitted to vote a regular ballot in person. The voter will be issued a Notice of Surrendered

- Ballot by Mail. This notice will be taken to the polling place and presented to the presiding judge. The presiding judge must issue the voter a regular ballot for voting. (Secs. 84.032(a), (c), (d), 84.035(b)).
- o If the voter appears at the early voting clerk's office and submits a cancellation request in writing but does **NOT** surrender their mail ballot, the voter will be permitted to vote, but they must be issued a provisional ballot. The voter must complete a proper affidavit on cancellation form. The voter should be sent to their applicable polling location to vote provisionally. (Secs. 84.032(a), (c), 84.035(b)).
 - **NOTE**: The early voting clerk's office may not always contain the main early voting polling place. If a voter appears during early voting, the voter should be directed to the nearest early voting location to vote.
- Cancellation by Voter who was Notified of the Defect by Phone or Email: If a voter was notified of the defect in their carrier envelope by phone or email, the voter may cancel their mail ballot application and vote in person.
 - o If the voter appears at the early voting clerk's office and submits a cancellation request in writing and the early voting clerk can verify that ballot is in the possession of the EVBB, the early voting clerk can issue a Notice of Surrendered Ballot by Mail. This notice will be taken to the polling place and presented to the presiding judge. The presiding judge must issue the voter a regular ballot for voting. (Secs. 84.032(a), (c), (d), 84.035(b)).
 - o If the voter appears at the polling place and completes a written cancellation request, the voter may be given a provisional ballot. The presiding judge should mark reason number 4 on the provisional ballot affidavit envelope. The presiding judge may also want to add a notation that the voter was notified of a defect on their carrier envelope by phone or email. (Sec. 84.032(b), (c)).

There is no process under Texas law by which a voter can cancel a mail ballot application by phone. All cancellations must be in writing and completed in accordance with Section 84.032 of the Code. A written, signed, and scanned copy of a cancellation request may be submitted by email or fax. The request must contain an original, wet ink signature; an electronic or digital signature is not permissible. If a voter has possession of their mail ballot, they must still surrender their mail ballot at the polling place or early voting clerk's office in order to vote a regular ballot in person even if they submit a cancellation request.

Provisional Voting

If the voter does not have possession of the carrier envelope, Notice of Improper Delivery, or Notice of Surrendered Ballot by Mail, but would like to cancel their mail ballot, the voter can go to an early voting or election day polling place and vote a provisional ballot.

Correcting in the Early Voting Clerk's Office when Voter is Notified of Defect by Phone or Email

If a voter has been notified of a defect by phone or email and the voter has not been sent their defective carrier envelope, the voter may appear in person at the early voting clerk's office not later than the sixth day after election day to take certain corrective actions. (Secs. 87.0271(c), 87.0411(c)).

Upon appearing at the early voting clerk's office and informing the early voting clerk that they have been notified that their carrier envelope had a defect, the early voting clerk should review the appropriate Roster of Voters with Defective Carrier Envelopes (or other applicable records)

provided to the early voting clerk from the SVC or EVBB to determine what corrective action is necessary.

If the voter has a completed Corrective Action Form for Defective Carrier Envelope, the early voting clerk will take the form and make a notation on the appropriate roster that the form was received.

If the voter does not have a completed Corrective Action Form for Defective Carrier Envelope, the early voting clerk shall provide the form to the voter and have the voter complete the paperwork. After completion of paperwork, the early voting clerk will take the corrective action form and make a notation on the appropriate roster that the form was received.

The early voting clerk must review the documentation provided by the voter to ensure that the voter has completed the necessary corrective actions. The early voting clerk or deputy early voting clerk will then complete the remaining notations on the roster. The Corrective Action Form for Defective Carrier Envelope must be securely retained until the records are transferred back to the SVC or EVBB.

The early voting clerk should make arrangements with the SVC chair and/or the EVBB presiding judge to receive an updated copy of the Roster of Voters with Defective Carrier Envelopes after each meeting of the SVC or EVBB in which the committee or board qualifies voted ballots for signature comparison or makes a determination to accept or reject voted ballots. Additionally, the early voting clerk shall provide any Corrective Action Form for Defective Carrier Envelope received along with an updated copy of the roster to the EVBB for the board's final review of ballots. The SOS recommends that this information be provided to the EVBB prior to any meeting of the EVBB. On election day, if the EVBB is meeting prior to the closing of the polls, it should be provided with any Corrective Action Form for Defective Carrier Envelope received before its meeting and any forms received up until the polls close on election day.

The early voting clerk should provide instructions about how to process voters who appear in person to correct defects in their carrier envelopes to all deputy early voting clerks who may be assisting with the corrective action process or answering phone or email inquiries.

Required Actions by Early Voting Ballot Board for all Ballots Subject to Corrective Action Process

Upon receiving any defective carrier envelopes that have been corrected and returned by mail, any Corrective Action Form for Defective Carrier Envelope that voters provided in person, or a notification from the early voting clerk that a voter provided missing or incorrect personal identification information through the Ballot by Mail Tracker, the EVBB must review the carrier envelope and associated paperwork to make a determination whether to accept or reject the ballot. (Sec. 87.0411(g)).

If a voter has been notified of a defect by phone or email, the voter has until the sixth day after election day to correct the defect. (Secs. 87.0271(c), 87.0411(c)). The voter's ballot may not be finally rejected for the reason provided in the Notice of Carrier Defect before the seventh day after election day. (Secs. 87.0271(g), 87.0411(g)). If a voter was mailed their defective carrier envelope, the revised carrier envelope containing the voted ballot MUST be returned to the early voting clerk by the time the polls close on election day. (Secs. 87.0271(b), 87.0411(b)).

Impacts on Federal Post Card Application (FPCA) Voters

The new requirements that an ABBM contain a voter's personal identification information apply to Federal Post Card Application voters. The FPCA form already includes a place for a voter to provide this information, as the form is also used for voter registration purposes. If a voter fails to include their personal identification number on the FPCA, the voter may correct this defect by submitting a new FPCA or by validating their identification number in the Ballot by Mail Tracker.

Likewise, the new identification requirements for carrier envelopes apply to mail ballots for FPCA voters. Our FPCA materials have been revised to reflect this change. Many FPCA voters receive their balloting materials by email, and an FPCA voter cannot construct the carrier envelope with a sufficient secrecy flap. Additionally, all FPCA ballots must be carried by the USPS free of postage. To facilitate the mailing of FPCA balloting materials, early voting clerks may use any type of mailing envelope that contains the Official Election Mail logo and the required postage-paid information as long as the early voting clerk includes a required signature sheet for the voter to complete.

All FPCA voters must be provided with an Official Election Signature Sheet for an FPCA Voter if their balloting materials were sent by email. If the balloting materials were sent by physical mail, but the early voting clerk is using one of the FVAP envelopes that does not contain all of the requirements for the carrier envelope, the voter MUST be provided with an Official Election Signature Sheet for an FPCA Voter to return with their marked ballot.

The SOS has prescribed a version of the carrier envelope that contains the required postage-paid information to be used only for FPCA voters. The personal identification number requirements have been added to the FPCA signature sheet.

Actions by Signature Verification Committee or Early Voting Ballot Board Regarding FPCA Voters

The SVC or EVBB, whichever is applicable, must review an FPCA voter's returned carrier envelope or signature sheet just as they would for a regular ABBM voter. However, as many FPCA voters will be utilizing a signature sheet that is contained within a sealed envelope, the SVC may have to open the sealed envelope to determine if the voter included a required signature sheet. The SVC may ONLY open FPCA carrier envelopes containing these voted ballots to ensure that the signature sheet has been included and that it contains the necessary information required for validation of personal identification numbers and/or signatures.

Correction of Defects by FPCA Voters

If the FPCA voter provides missing or incorrect identification information on their carrier envelope or signature sheet, or did not include the Official Election Signature Sheet for an FPCA Voter, the voter must be notified of the defect in the same manner as a regular ABBM voter. Because the signature sheet is separate from the voted ballot and is authorized under state and federal law, FPCA voters who have a defect in their signature sheet have additional methods for returning this corrected or missing required documentation. Specifically, an FPCA voter may submit a corrected signature sheet by email, fax, personal delivery, or mail. The SVC or EVBB should make an appropriate notation on their roster to indicate how FPCA voters were notified of a defect and how the FPCA voter provided the corrected signature sheet to the SVC or EVBB. (Secs. 1.007, 31.003, 31.004, 87.0271(f), 87.0411(f), 101.007, 101.109).

Validating Voter Registration Information When an Entity or Political Subdivision Does Not Contract with County Election Officer

The requirements to verify voters' personal identification information with their voter registration records apply to all elections regardless of whether a political subdivision contracts with the county election officer to conduct the election on its behalf. For those entities that are running their own elections, the following verification process must be completed.

Verifying Personal Identification Information on ABBM/FPCA

- For Annual ABBM/FPCA voters who file applications with the county: When the county election office forwards the list of ABBM/FPCA voters along with copies of their mail ballot applications, the county shall only forward those applications for which the personal identification information provided on the ABBM/FPCA matches the information in the voter's voter registration record. The county election officer should prepare a certification, included with the forwarded list, confirming that the information provided on each forwarded application matches the voter's voter registration record. If the early voting clerk does not want to rely on the county's certification, the clerk must coordinate with the county election officer to determine a date and time to go to the county's office to validate the information on the ABBM/FPCA with the voter's voter registration record.
- If a local entity receives an ABBM or FPCA directly from a voter, the early voting clerk must make arrangements with the county election officer to verify that the information provided on the application matches the voter's voter registration record. This verification may be made over the telephone or in person before the early voting clerk sends the voter's balloting materials. Verification of personal identification information should be confirmed on a separate document or directly on the ABBM (as long as the notation does not obscure any of the applicant's markings). The notation should indicate that the verification occurred and include the date of verification.

NOTE: If a local entity receives an Annual ABBM/FPCA, the entity must forward the application to the county as soon as possible for the county's use. (Sec. 86.0015(d)).

Verifying Personal Identification Information on Carrier Envelope

- Because the early voting clerk already validated the personal identification information on the voter's ABBM, if the information submitted on the carrier envelope matches the information on the ABBM, the EVBB may accept the information and proceed to signature verification.
- If the information submitted on the carrier envelope does NOT match the information on the voter's ABBM, the SVC or EVBB must verify that the information on the carrier envelope matches the voter's voter registration record. The SVC or EVBB must verify this information with the voter registrar or county election officer. The verification may be performed over the telephone or in person at the voter registrar's or county election officer's office, or a member of the voter registrar's or county election officer's staff may be on site at the SVC or EVBB meeting to look up the voter registration records. Verification of personal identification information should be confirmed on a separate document or directly on the ABBM (provided that the notation does not obscure any of the applicant's markings). The notation should indicate that the verification occurred and

include the date of verification. The verification, method used for verification, and the individuals involved in the verification must all be documented by the SVC or EVBB, and these records should be maintained for the applicable preservation period.

Forms Related to Corrective Action Process

The SOS has prescribed several forms pertaining to the procedures identified in this advisory.

Notice of Rejected Application for Ballot by Mail – Missing or Incorrect Personal Identification Number (Form 6-3)

The SOS has prescribed a specific form for early voting clerks to use when notifying a voter that their ABBM is subject to rejection because the voter failed to provide any of the required personal identification information on the ABBM or the information provided by the voter on the ABBM does not match the voter's voter registration record. This new form provides detailed information on how the voter can correct this defect by utilizing the SOS's Ballot by Mail Tracker to validate their personal identification numbers, as required by Section 86.001(f-1). If the missing or incorrect identification information is the only basis for rejecting the ABBM, we recommend that early voting clerks use Form 6-3 as it explains the correction process.

The SOS has also added language regarding missing or incorrect personal identification information to the standard Notice of Rejected Application for Ballot by Mail form (Form 6-2). If there are multiple defects with an ABBM (including missing or incorrect identification information), we recommend that the early voting clerk send the standard Form 6-2 because the voter must submit a new ABBM to resolve the other defects even if the voter utilizes the Ballot by Mail Tracker to correct the missing or incorrect information.

Notice of Rejected Application for Ballot by Mail – Required Personal Identification Number Not Associated with Voter Record (Form 6-4)

The SOS has prescribed a specific form for early voting clerks to use when notifying a voter that their ABBM is subject to rejection because the voter's voter registration record does not contain one or more of the required personal identification numbers. This notice provides instructions on how a voter can add their personal identification number(s) to their voter registration record through texas.gov or by submitting a new voter registration application to the voter registrar. A postage-paid voter registration application must accompany this notice so that the voter may add the numbers to his or her voter registration record if the voter does not have online access.

Notice of Carrier Defect (Forms 8-23, 8-24)

The SOS has prescribed two different Notice of Carrier Defect forms to notify voters of defects in their carrier envelope and the available corrective actions. For voter convenience, we have included a copy of the Corrective Action Form for Defective Carrier on the reverse side of each Notice of Carrier Defect.

- The Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail is to be used for those voters who are mailed back their carrier envelope for correction.
- The Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email is to be used for those voters who are notified of their carrier envelope defect by phone or email.

The notice must be completed by members of the SVC or EVBB. Any phone call or email notifying a voter of a defect in their carrier envelope should be made or sent during the time the SVC or EVBB is convened. The SVC or EVBB may utilize employees of the early voting clerk to assist with this process if all activities are completed while the SVC or EVBB is officially convened so that poll watchers may be present to observe the activities.

Roster of Voters with Defective Carrier Envelopes (Forms 8-20, 8-21, 8-22)

The SVC or EVBB should create a Roster of Voters with Defective Carrier Envelopes – Returned to the Voter by Mail and a Roster of Voters with Defective Carrier Envelopes – Notified by Phone or Email to record and detail the voters whose carrier envelopes have been mailed to a voter or are pending review by the SVC or EVBB. The roster should include the following information:

- Voter's Name/VUID;
- Type of defect on the carrier envelope;
- Date the SVC or EVBB provided notice of defect, if applicable;
- How notice was provided (returned carrier, phone call, email); and
- Who on the SVC or EVBB provided the notice.

A copy of the roster should be provided to the early voting clerk on a regular basis so that they are aware of voters who may appear at the early voting clerk's office to complete any corrective actions associated with their carrier envelope or cancel their mail ballot application.

The SOS has prescribed three different sample rosters that may be used for these purposes. The SVC or EVBB may choose to complete the roster or track this information electronically, as long as the SVC or EVBB is able to generate a report with the required information that can be provided to the early voting clerk to assist with the corrective action process.

Voters' names entered on this roster are not eligible for public inspection until after the voter has returned the corrected carrier envelope, canceled their mail ballot, or appeared in person to correct any necessary defects. (Sec. 87.121).

Corrective Action Form for Defective Carrier Envelope (Form 6-14)

The SOS has prescribed a specific form that voters should use when appearing in person at the early voting clerk's office to correct certain defects in their carrier envelope. This form allows the voter to provide the missing or incorrect information from their carrier envelope. When completed, the early voting clerk must provide this form to the EVBB so that the board can make a final determination on acceptance or rejection of a voted mail ballot.

The Corrective Action Form for Defective Carrier Envelope also contains the elements of a statement of residence. Voters may want to consider completing all portions of the corrective action form; if the EVBB subsequently discovers a different defect in the carrier envelope (such as a missing SOR form), and the voter provided all the required information in the corrective action form, this form can be used to correct the newly found defects.

The SOS has prescribed a standalone Corrective Action Form for Defective Carrier, but has also included this form on the reverse side of the Notice of Carrier Defect form for voter convenience.

Notice of Surrendered Ballot by Mail (Form 6-13)

The SOS has prescribed a Notice of Surrendered Ballot by Mail to use when a voter surrenders their mail ballot to the early voting clerk and is eligible to vote a regular ballot in person. Upon surrendering their mail ballot, the voter will be issued the Notice of Surrendered Ballot by Mail. The voter will take this form to their early voting or election day polling place and present the form to the election judge, entitling the voter to vote a regular ballot in person.

Address Confidentiality Program

When reviewing the Confidential Voter Registration Form and Early Voting Ballot Application of a voter in the Attorney General's address confidentiality program, the early voting clerk will not compare the personal identification information on the application form to a voter registration record as these voters are not registered voters in the statewide voter registration system.

After the voter returns their carrier envelope, the early voting clerk or applicable designee must confirm that the personal identification information on the carrier envelope matches the information on the Confidential Voter Registration Form and Application for Ballot by Mail. If the information does not match, the early voting clerk or designee must generate a Notice of Carrier Defect. The voter's name is not entered on the Roster of Voters with Defective Carrier Envelopes. Instead, a notation of the defect is made on the Roster for Early Voting by Mail for Address Confidential Applicants.

As these individuals are not registered voters in the statewide registration system, the Ballot by Mail Tracker will not contain information regarding their ballot application or carrier envelope. Voters wishing to verify the receipt of their carrier envelope must contact the early voting clerk.

Early Voting Clerk Notification to Voter of Defects in Carrier Envelope

Under Section 86.011(d) of the Code, if an early voting clerk receives a timely carrier envelope that does not comply with the applicable requirements of the Code, the early voting clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. Additionally, the early voting clerk may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their ABBM and vote in person. The early voting clerk may utilize this provision for defects such as a missing signature by the voter, a partially completed witness or assistant box (if applicable), or a ballot that is not returned in a carrier envelope.

If an early voting clerk chooses to notify voters of defects in their carrier envelope under Section 86.011(d), the clerk must apply these procedures uniformly to all voters in similar circumstances. Additionally, the SOS recommends keeping a log to track the ballots mailed to voters and the ballots in the possession of the early voting clerk before ballots are delivered to the SVC or EVBB. If the early voting clerk notifies a voter of a defect in their carrier envelope by mail, the clerk should include a letter explaining the actions that the voter needs to take to correct and return the carrier envelope.

Please be advised that the early voting clerk can only notify voters of certain defects under Section 86.011(d). If the early voting clerk receives a mail ballot with an obvious defect, but it is within the time frame that the SVC or EVBB can meet, the early voting clerk should expeditiously deliver these ballots to the SVC or EVBB so that they may complete their full

review and the voter can be notified of all defects in a timely fashion. The SVC or EVBB should review the ballots with obvious defects first to ensure that those voters are timely notified of their options to correct or cancel their mail ballot.

Types of Defects and Corrective Action Options

Type of Defect	Carrier Envelope Returned by	Voter Notified of Defect by Phone
	Mail to Voter	or Email
Voter did not sign the carrier envelope certificate.	Voter should sign original carrier envelope and return the carrier envelope to the early voting clerk by mail by 7:00 p.m. on election day, or, if on election day, the voter may hand-deliver their signed carrier envelope to the early voting clerk's office. Voter can make corrections directly on the returned carrier envelope. They do not need a Corrective Action for Carrier Envelope form. OR Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular ballot. If the voter does not surrender their mail ballot, they must vote provisionally.	Voter can complete Corrective Action Form for Defective Carrier Envelope and return the form in person to the early voting clerk's office by the 6th day after election day. OR Voter can cancel their mail ballot application and vote in person. • If voter cancels at the early voting clerk's office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. • If voter surrenders ballot at the polling place, voter may fill out cancellation form and vote a regular ballot. • If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot.
The EVBB/SVC cannot determine whether the signature on the carrier envelope is that of the voter.	Voter can complete Corrective Action Form for Defective Carrier Envelope form and return the form AND the original carrier envelope to the early voting clerk's office. Carrier envelope and Corrective Action for Carrier Envelope form must be received by the early voting clerk by 7:00 p.m. on election day. OR Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular	Voter can complete Corrective Action Form for Defective Carrier Envelope and return the form in person to the early voting clerk's office by the 6th day after election day. OR Voter can cancel their mail ballot application and vote in person. • If voter cancels at the early voting clerk's office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. • If voter surrenders ballot at the

Type of Defect	Carrier Envelope Returned by Mail to Voter	Voter Notified of Defect by Phone or Email
	ballot. If the voter does not surrender their mail ballot, they must vote provisionally.	polling place, voter may fill out cancellation form and vote a regular ballot. If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot.
Voter did not include the required Statement of Residence form.	Voter can complete Corrective Action Form for Defective Carrier Envelope and Statement of Residence form and return the forms AND the original carrier envelope to the early voting clerk's office. Carrier envelope, SOR form, and Corrective Action Form for Defective Carrier Envelope must be received by the early voting clerk by 7:00 p.m. on election day. OR Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular ballot. If the voter does not surrender their mail ballot, they must vote provisionally. Voter may be required to complete a SOR when appearing to vote in person.	Voter can complete Corrective Action Form for Defective Carrier Envelope and Statement of Residence form and return the form in person to the early voting clerk's office by the 6th day after election day. OR Voter can cancel their mail ballot application and vote in person. If voter cancels at the early voting clerk's office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. If voter surrenders ballot at the polling place, voter may fill out cancellation form and vote a regular ballot. If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot. Voter may be required to complete a SOR when appearing to vote in person.
The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.	Voter can complete Corrective Action Form for Defective Carrier Envelope and return the form AND the original carrier envelope to the early voting clerk's office. Carrier envelope and Corrective Action Form for Defective Carrier	Voter can complete Corrective Action Form for Defective Carrier Envelope and return the form in person to the early voting clerk's office by the 6th day after election day.
	Envelope must be received by the early voting clerk by 7:00 p.m. on election day.	Voter can log into the Ballot by Mail Tracker on www.votetexas.gov to

Type of Defect	Carrier Envelope Returned by Mail to Voter	Voter Notified of Defect by Phone or Email
	Voter can enter the missing information on the original carrier envelope that was returned to the voter and return the carrier envelope to the early voting clerk. OR Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot, they should be given a regular ballot. If the voter does not surrender their mail ballot, they must vote provisionally.	complete the verification of the missing or incorrect personal identification information. OR Voter can cancel their mail ballot application and vote in person. If voter cancels at the early voting clerk's office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. If voter surrenders ballot at the polling place, voter may fill out cancellation form and vote a regular ballot. If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot.
If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.	Voter can complete, or have a witness help complete, the Corrective Action Form for Defective Carrier Envelope and return the form AND the original carrier envelope to the early voting clerk's office. Carrier envelope and Corrective Action Form for Defective Carrier Envelope must be received by the early voting clerk by 7:00 p.m. on election day. OR Voter/witness can enter the missing information on the original carrier envelope or Corrective Action Form for Defective Carrier Envelope and return the carrier envelope to the early voting clerk. OR Voter can cancel their mail ballot application and vote in person. If voter surrenders their mail ballot,	Voter can have the witness complete the Corrective Action Form for Defective Carrier Envelope, and voter can return the form in person to the early voting clerk's office by the 6th day after election day. OR Voter can appear in person at the early voting clerk's office by the 6th day after election day and the early voting clerk/deputy early voting clerk can serve as a witness for the voter on the corrective action form. OR Voter can cancel their mail ballot application and vote in person. • If voter cancels at the early voting clerk's office and is given a Notice of Surrendered Ballot by Mail, the voter votes a regular ballot. • If voter surrenders ballot at the

Type of Defect	Carrier Envelope Returned by Mail to Voter	Voter Notified of Defect by Phone or Email
	ballot. If the voter does not surrender their mail ballot, they must vote provisionally.	cancellation form and vote a regular ballot. If voter appears at the polling place without a Notice of Surrendered Ballot by Mail and no ballot, the voter may fill out cancellation form and be given a provisional ballot.

Questions and Answers

- 1. What if a voter does not use the new ABBM form or otherwise does not include any of the required personal identification information?
 - A. The early voting clerk must reject the voter's ABBM and provide notice of the rejection. If the missing identification information is the only defect in the ABBM, the early voting clerk should send the voter a Notice of Rejected Application for Ballot by Mail Missing or Incorrect Personal Identification Number. The voter may correct this defect by submitting a new ABBM or by validating their personal identification information through the Ballot by Mail Tracker on votetexas.gov.
- 2. What information does a voter need to access the Ballot by Mail Tracker?
 - A. To access the Ballot by Mail Tracker on votetexas.gov, the voter must enter their DPS-issued number, the last four digits of their social security number, and their residence address as listed in their voter registration record.
- 3. A voter can't access the Ballot by Mail Tracker because their voter registration record does not contain a required personal identification number. What should the voter do?
 - A If a voter is unable to enter the Ballot by Mail Tracker because they do not have an identification number associated with their voter registration record, the voter needs to update their voter registration record. They can do so by submitting a new voter registration application to the registrar or by validating their personal identification numbers on texas.gov if the voter has a DPS-issued driver's license or personal identification card. The process for updating the voter registration record is explained to the voter in Notice of Rejected Application for Ballot by Mail Required Personal Identification Number Not Associated with Voter Record (Form 6-4).
- 4. If the personal identification information on the carrier envelope matches the voter's voter registration record, should the SVC or EVBB still review the signatures on the ABBM and carrier envelope?
 - A. Yes, but there is a rebuttable presumption that the signatures on the ABBM and carrier envelope are those of the voter. The only way to reject a ballot due to a signature mismatch is for a member of the SVC or EVBB to rebut the presumption. The presumption may be rebutted by presenting other past

signatures on file with the early voting clerk or voter registrar that would support a finding that the signatures on the carrier envelope and ABBM are not those of the same voter.

5. What if a voter includes an incomplete or unsigned Statement of Residence form?

A. A voter should be notified of an incomplete SOR and provided an opportunity to correct this defect, similar to the process for a missing SOR.

6. Can some one other than the voter return a voter's corrected carrier envelope or corrective action form in person?

A. No. Only the voter can hand-deliver their corrected carrier envelope on election day, or complete the Corrective Action Form for Defective Carrier Envelope, in person at the early voting clerk's office. If necessary, the voter may have someone accompany the voter to serve as a witness.

7. If the SVC or EVBB attempts to call a voter and is unable to reach the voter by phone, should they leave a message? Can the SVC or EVBB call multiple times?

A. The SVC or EVBB can leave a message for the voter, but they should avoid providing any personally identifiable information on the voicemail so as not to compromise the privacy of the voter. Additionally, the SVC or EVBB can make multiple attempts to reach a voter by phone. The SOS recommends that the SVC or EVBB set a policy on the number of attempts allowed and what information will be provided in a voicemail message. Any actions that the EVBB/SVC takes for one voter must be uniformly applied to all voters in similar circumstances for that election.

8. If the SVC or EVBB is unable to reach the voter by phone, what number should the SVC or EVBB provide as a return number in a voicemail message?

A. The SOS recommends that the SVC or EVBB provide a telephone number that will be routinely staffed by members of the SVC or EVBB, or by deputy early voting clerks, so that voters can receive information about the corrective action process in a timely fashion. As a best practice, the SVC or EVBB should identify the days and hours that someone will be available to answer calls. In addition, if a voicemail is set up with the return phone number, this voicemail should be routinely checked and any voicemails should be logged and tracked to ensure that voters are being provided uniform information in a timely fashion. The SVC or EVBB does not need a separate phone line. They can use the early voting clerk's main number, but the SVC or EVBB must work with the early voting clerk to develop a procedure for tracking calls about the correction process.

9. Can the SVC or EVBB contact voters both by email and phone?

A. Yes. As long as the SVC or EVBB apply the same procedures uniformly to all voters in similar circumstances, they can contact a voter by phone and email to notify them of the defect. The SVC or EVBB should set a policy regarding the number and/or methods of attempts to contact a voter. In addition, all attempts to contact a voter should be documented on the applicable roster.

- 10. A voter has contacted our office and indicated that the personal identification number in their voter registration record is wrong; what can the voter do?
 - **A.** The voter can correct their personal identification number by submitting a new voter registration application to the voter registrar.
- 11. If the voter lists a personal identification number on an ABBM that is not contained in their voter registration record, can the early voting clerk update the voter registration record?
 - **A.** No. The voter should be notified that their voter registration record does not contain the identification number listed on the ABBM. The voter can update their voter registration record by submitting a new voter registration application to the registrar or by validating their personal identification numbers on texas gov.
- 12. If a voter validates their DPS-issued driver's license number or social security number through texas.gov to update their voter registration record, how long does it take for this change to be effective?
 - A. This is an immediate update. It does not take 30 days for the update to become effective.
- 13. If a voter hand-delivers their ABBM to the early voting clerk, can the clerk review whether the personal identification information on the ABBM matches the voter's voter registration record before the voter submits their application?
 - A. Upon receipt of the ABBM, the early voting clerk can review the application even if the voter remains in the clerk's presence. However, any such actions taken as to one voter should be uniformly applied to all voters in similar circumstances. Thus, if the early voting clerk intends to review hand-delivered ABBMs for completeness or accuracy in the voter's presence, the clerk should follow the same process for all voters who hand-deliver their ABBMs.
- 14. Can a poll watcher challenge the acceptance of a signature by the EVBB?
 - A. No. A poll watcher has no authority to challenge the acceptance of a signature or any actions taken by the SVC or EVBB during the course of their regular meetings. The poll watcher can point out an election irregularity to the EVBB presiding judge or the SVC chair, after which the poll watcher has no further authority to take any actions with respect to their observations.
- 15. What email address should the SVC or EVBB use when notifying voters of a defect by email?
 - A. The SOS recommends that the early voting clerk set up an email address for these notifications. The early voting clerk and the SVC or EVBB should establish rules and procedures for utilizing the email address. Any emails sent or received through the corrective action process are considered election records under the Election Code, are subject to the Public Information Act, and should be retained by the general custodian of election records. The general custodian should consult with their attorney regarding any requests for such emails, as certain information may be exempt from disclosure under the Public Information Act.

- 16. What if a voter comes to the early voting clerk's office to correct a defect in their carrier envelope and the reason for voting by mail is absence from the county?
 - A If a voter appears in person to correct a defect with their carrier envelope, the voter must be provided an opportunity to correct the defect, and the early voting clerk must send any completed corrective action form to the early voting ballot board. The EVBB should not reject a correction merely because the voter applied to vote by mail due to expected absence from their county of residence.
- 17. If a county election officer is forwarding applicable annual ABBMs and FPCAs to a local entity, how should that information be transmitted to the entity?
 - **A.** The county election officer should transmit copies of the applicable ABBMs and FPCAs through a secure method. This may include hand-delivering the copies, arranging for the local entity to pick up the copies, or utilizing an encrypted email or file transfer protocol.
- 18. If a voter is mailed their carrier envelope to correct a defect, is the voter's name removed from the roster of voters who voted by mail under Section 87.121?
 - **A.** No. The voter's name will stay on the early voting roster as the voter has properly and timely submitted their mail ballot. The voter's name will subsequently be entered on the Roster of Voters with Defective Carrier Envelopes Returned to the Voter by Mail to track the status of the ballot in the correction process.
- 19. Can a voter call and ask what personal identification number the voter registrar has on file for that voter?
 - **A.** Yes. A voter can ask to confirm the number listed, but the number should be provided by the voter and the early voting clerk can confirm whether that number is accurate. The early voting clerk should not provide any personal identification number from the voter registration record to a person over the phone. If the voter provides an incorrect number, the voter registrar can tell the voter that the number is incorrect, but the voter registrar should not read the number to the voter over the phone. The voter registrar can also confirm the type of number listed on file (driver's license or social security number).
- 20. What if an entity has a mailed a corrected ballot and the voter returns both ballots, but the second, corrected ballot has a defect in the carrier envelope (ex: missing personal identification information)? Can the SVC or EVBB review the original carrier envelope to obtain the missing information?
 - A. No, the original ballot may not be reviewed or counted. The initial carrier envelope is never sent to the SVC or EVBB if the corrected ballot has been returned. If there is a defect in the corrected ballot, the SVC or EVBB must notify the voter of the defect and allow the voter an opportunity to correct the defect. Even if the voter does not resolve the defect in the corrected ballot, the SVC or EVBB may not review the original ballot, as the corrected ballot is now the timely returned ballot.

- 21. If the SVC or EVBB is unable to locate a voter's email or phone number to notify the voter of a defect in their carrier envelope, what should the SVC or EVBB do?
 - **A.** The SVC or EVBB should mail a Notice of Carrier Defect to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.
- 22. Can the early voting clerk retain the voter's ABBM and a copy of the Notice of Rejected Application for Ballot by Mail electronically?
 - **A.** Yes. There is no prohibition on an early voting clerk scanning these documents for storage and retention. However, the original document must be kept for the retention period associated with precinct election records.

If you have any questions regarding this advisory, please contact the Elections Division toll-free at 1-800-252-VOTE(8683).

KI:CA

Exhibit 71

Message

From: Elections Internet [Elections@sos.texas.gov]

Sent: 2/12/2022 2:56:55 AM

To: Elections Internet [Elections@sos.texas.gov]

Subject: MASS EMAIL ADVISORY (CC/EA/VR - 1031) Advisory 2022-12 - Additional Procedures Regarding Correction of Defects

on Application for Ballot by Mail or Carrier Envelope

Attachments: ADV2022-12 - Additional Procedures Regarding Correction of Defects on Application for Ballot by Mail or Carrier

Envelope (Final).pdf

Dear Election Officials:

Our office has released **Advisory 2022-12 - Additional Procedures Regarding Correction of Defects on Application for Ballot by Mail or Carrier Envelope**. It is attached to this email as a PDF.

When posted, this advisory will be located on your **Conducting Elections** page.

Please let us know if you have any additional questions or concerns.

Thank you,

Christina Worrell Adkins

Legal Director — Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

The State of Texas

Elections Division P.O. Box 12060 Austin, Texas 78711-2060 www.sos.state.tx.us



Phone: 512-463-5650 Fax: 512-475-2811 Dial 7-1-1 For Relay Services (800) 252-VOTE (8683)

NO. 2022-12

TO: Election Officials

FROM: Keith Ingram, Director, Elections Division

DATE: February 11, 2022

RE: Additional Procedures Regarding Correction of Defects on Application for

Ballot by Mail or Carrier Envelope

In our continued efforts to provide advice and assistance on the changes in law made by Senate Bill 1 (87th Leg., 2nd C.S., 2021), the Secretary of State is issuing additional guidance regarding the process for voters to correct certain defects in an application for ballot by mail (ABBM) or carrier envelope. This advisory is intended to be read in conjunction with <u>Election Advisory No. 2022-08</u>, issued on January 28, 2022.

All statutory references in this advisory are to the Texas Election Code ("the Code"), unless otherwise indicated

Processing Applications for Ballot by Mail

In Election Advisory No. 2022-08, we identified several scenarios that early voting clerks may encounter in reviewing ABBMs. We also outlined the actions that early voting clerks should take in each scenario. Based on feedback that we received from early voting clerks following the issuance of Election Advisory No. 2022-08, we are providing further guidance regarding one of the scenarios (Scenario 2).

In Scenario 2, a voter provides a DPS-issued driver's license number on their ABBM but the early voting clerk is unable to validate this number because the voter registration record only contains the voter's social security number. As we indicated in our prior advisory, the early voting clerk must reject the ABBM and provide notice of the rejection, which must include information explaining how to correct or add information to cure the defect. (Sec. 86.001(f-1)).

In this scenario, if the voter's voter registration record contains only one personal identification number, the voter can also update their record—by submitting a newvoter registration application to the registrar or by validating their information on texas.gov—to add the missing number in addition to or in lieu of submitting a new ABBM. Accordingly, the early voting clerk should provide a voter in Scenario 2 with the Notice of Rejected Application for Ballot by Mail — Missing or Incorrect Personal Identification Number (Form 6-3) or the Notice of Rejected Application for

Ballot by Mail – Required Personal Identification Number Not Associated with Voter Record (Form 6-4). The early voting clerk should also consider sending both a blank ABBM and a blank voter registration application to the voter so that they can include the additional personal identification number on the ABBM or submit a new voter registration application to update their record with both numbers. Updating the voter registration record will also reduce the likelihood that any future ABBMs or carrier envelopes submitted by the voter will contain identification information that does not match the voter's record.

NOTE: As we stated in Election Advisory No. 2022-08, if a voter in Scenario 2 has not provided the required personal identification information by the 11th day before election day, the ABBM will be finally rejected, but the voter may still vote in person if otherwise eligible. (Sec. 84.007(c)).

EVBB/SVC Mailing of Defective Carrier Envelope to Voter

In Election Advisory No. 2022-08, we outlined detailed procedures regarding the methods of correcting defects in a carrier envelope, including the process for the SVC or EVBB to return a carrier envelope to the voter by mail. As a reminder, if the SVC or EVBB determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB must mail the original defective carrier envelope to the voter. This determination must be made not later than the second business day after the SVC or EVBB discovers a defect, and before the SVC or EVBB decides whether to accept or reject a timely delivered mail ballot. (Secs. 87.0271(b), 87.0411(b)).

In addition to the procedures identified in our earlier advisory, if the EVBB/SVC mails a defective carrier envelope to the voter, the EVBB/SVC can also call or email a voter to notify them that the carrier envelope has been returned to the voter. If the EVBB/SVC opts to provide this additional notice by phone or email, the EVBB/SVC must apply these procedures uniformly to all voters in similar circumstances. (Secs. 87.0271(d), 87.0411(d)).

Missing or Incorrect Personal Identification Information on Carrier Envelope – Updating Voter Registration Record

If an SVC/EVBB discovers that a voter's personal identification information is missing or incorrect on the carrier envelope, and the SVC/EVBB determines there is not enough time to return the carrier envelope to the voter, the SVC/EVBB may notify the voter of the defect by phone or email. (Secs. 87.0271(c), 87.0411(c)). If the voter's voter registration record only contains one of the required identification numbers, the SVC/EVBB may also notify the voter that they can add the missing number to their record by submitting a new voter registration application or by updating their registration at texas.gov. Updating the voter registration record to include the missing personal identification number may provide the SVC/EVBB with the information needed to accept the carrier envelope. Additionally, once the voter updates their record, the voter will be able to access the SOS's Ballot by Mail Tracker in any future election for which they apply to vote by mail.

Early Voting Clerk Notification to Voter of Defects in Carrier Envelope

As we explained in Election Advisory No. 2022-08, if an early voting clerk receives a timely carrier envelope that does not comply with the applicable requirements of the Code, Section 86.011(d) of the Code authorizes the clerk to deliver the carrier envelope in person or by mail to the voter

so that the voter may correct the defect. The early voting clerk also may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their ABBM and vote in person. Section 86.011(d) directs the SOS to prescribe any procedures necessary to implement this subsection.

Removing the Secrecy Flap on Carrier Envelope

The early voting clerk is authorized to remove the secrecy flap on a returned carrier envelope to facilitate the processing and review of voted mail ballots. If, in removing the secrecy flap, the early voting clerk discovers that the voter did not fully seal the carrier envelope, the clerk may take actions such as taping or sealing the flap to ensure that the envelope containing the ballot is not separated from the carrier envelope.

Returning the Carrier Envelope to Voter

If the early voting clerk discovers that the carrier envelope is missing the voter's signature, has an incomplete signature, has missing or incomplete witness or assistant information, or has missing or incorrect personal identification information, the early voting clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. If the early voting clerk sends the carrier envelope to the voter by mail, the clerk should include a notice explaining the defect and provide instructions on how the voter can correct and return the carrier envelope or cancel their ABBM and vote in person. The early voting clerk may provide their own letter to the voter explaining these defects.

If an early voting clerk delivers the carrier envelope to the voter in person, the clerk should document this delivery. This hand-delivery option must be applied uniformly to all voters in similar circumstances. In addition, poll watchers are entitled to follow the early voting worker when making the delivery and observe the correction process. Upon receipt of the carrier envelope, the voter may correct the defect immediately and surrender the carrier envelope to the early voting clerk personnel, who would return to the clerk's office with the corrected carrier envelope. Alternatively, the early voting worker could leave the carrier envelope in the voter's possession and allow the voter to either make the correction on their own and mail the ballot to the early voting clerk or cancel their mail ballot and vote in person.

The early voting clerk may return defective carrier envelopes by mail under Section 86.011(d) up until the point when SVC/EVBB begins notifying voters of defects by phone or email. The early voting clerk should determine this cutoff date in coordination with the SVC/EVBB. At that point, the early voting clerk should not provide these notifications, as the SVC/EVBB has additional options to contact voters of defective carrier envelopes—and voters notified of such defects by the SVC/EVBB have until the 6th day after election day to correct the defect in person at the early voting clerk's office.

Deadline to Return Carrier Envelope to the Early Voting Clerk

As the carrier envelope was returned to the voter prior to review by the early voting ballot board, the regular delivery deadlines for carrier envelopes apply. These deadlines are listed in the Secretary of State's election law calendars. Any carrier envelopes returned to the early voting clerk after the regular return deadlines will not be sent to the EVBB for review, as they were not timely returned. (Sec. 86.011(c)).

Tracking Mail Ballots Returned to Voter by Early Voting Clerk

If an early voting clerk opts to return a defective carrier envelope to the voter, the early voting clerk should leave this ballot in the "Ballot Sent" status for the SOS's Ballot by Mail Tracker. These ballots should be entered as "Ballot Received" until the ballot has been returned by the voter.

Notifying Voter of Defective Carrier Envelope by Phone

Alternatively, if the early voting clerk discovers that the carrier envelope is missing the voter's signature, has an incomplete signature, has missing or incomplete witness or assistant information, or has missing or incorrect personal identification information, the early voting clerk may notify the voter by phone of this defect and inform the voter that the voter may appear at the early voting clerk's office in person to correct the defect or cancel their ABBM and vote in person. The early voting clerk is not permitted to notify voters of a defective carrier envelope by email. However, if the voter requests additional information regarding the correction process, the early voting clerk may email instructions to the voter on how to correct defects—as long as the clerk takes the same action for all voters who request additional information by email.

The early voting clerk may notify voters of defective carrier envelopes by phone until the SVC/EVBB begins notifying voters of defects by phone or email. At that point, the early voting clerk should refrain from providing these notifications and should deliver the defective carrier envelopes expeditiously to the SVC/EVBB. The SVC or EVBB should review the ballots with obvious defects first to ensure that those voters are timely notified of their options to correct or cancel their mail ballot.

Deadline to Appear in Person at Early Voting Clerk's Office to Correct Defects

A voter who is notified of a defective carrier envelope by the early voting clerk under Section 86.011(d) must act on the defect(s) by 7:00 p.m. on election day. If the voter does not take such corrective action by 7:00 p.m. on election day, the early voting clerk shall deliver the defective carrier envelope to the EVBB for review. The EVBB will then make their own determination as to whether there are any defects in the carrier envelope and may also inform a voter of their ability to correct the defect(s). A voter who is notified of a defective carrier envelope by the SVC/EVBB has until the 6th day after election day to correct the defect(s) in person at the early voting clerk's office.

Uniform Treatment of Voters

If an early voting clerk chooses to notify voters of defects in their carrier envelope under Section 86.011(d), the clerk must apply these procedures uniformly to all voters in similar circumstances. The SOS recommends keeping a log to track the ballots mailed to voters and the ballots in the possession of the early voting clerk before ballots are delivered to the SVC or EVBB.

Poll Watchers May be Present for Early Voting Clerk Notifications

Poll watchers are entitled to observe the procedures described under Section 86.011(d). Poll watchers are not authorized to remain in the early voting clerk's office at all times to wait for a potential notification to a voter. However, if a poll watcher is present in the office when an early voting clerk is notifying voters of defects by phone or a voter appears to correct a defect in person, the poll watcher may observe this process. There is no specific posting requirement for this notification.

Missing Statement of Residence

If an EVBB discovers that a voter did not include a completed statement of residence, the EVBB/SVC can mail the carrier envelope back to the voter so that the voter may provide a statement of residence.

If the EVBB discovers that a voter did not include a completed statement of residence, but there is not enough time to mail the carrier envelope to the voter and have the voter return the carrier envelope by election day, the early voting clerk can notify the voter of this defect by phone or email. The voter may submit the completed statement of residence with their carrier envelope (if mailed back), or the voter can appear in person at the early voting clerk's office to turn in or complete the statement of residence. In addition, if a voter is notified of a missing or incomplete statement of residence by phone or email, the voter can update their voter registration record through texas.gov. The early voting clerk should notify the EVBB of an update completed via texas.gov and provide a copy of the new record for the EVBB's review process.

If you have any questions regarding this advisory, please contact the Elections Division toll-free at 1-800-252-VOTE(8683).

KI:CA

Exhibit 72

Message

From: Adam Bitter [ABitter@sos.texas.gov]

Sent: 2/18/2022 11:35:57 PM

To: 'john.medcalf@votec.net' [john.medcalf@votec.net]

CC: 'tnolan@votec.net' [tnolan@votec.net]; Keith Ingram [KIngram@sos.texas.gov]; Kristi Hart [KHart@sos.texas.gov]

Subject: Texas Secretary of State

Attachments: 2.18.22 A. Bitter Letter to J. Medcalf.pdf

Sensitivity: Personal

Mr. Medcalf,

Please see the attached letter from the Office of the Texas Secretary of State. Please let me know if you have any questions.

Sincerely,

Adam Bitter

General Counsel
Office of the Texas Secretary of State
(512) 475-2813
abitter@sos.texas.gov

The State of Texas

Executive Division Capitol Building, 1E.8 P.O. Box 12887 Austin, Texas 78711-2887



Phone: 512-463-5770 Fax: 512-463-2761 Dial 7-1-1 For Relay Services www.sos.texas.gov

John Medcalf Chief Executive Officer VOTEC Corporation 10920 Via Frontera, Suite 110 San Diego, CA 92127

Dear Mr. Medcalf,

In accordance with Section 18.012 of the Texas Election Code, the Office of the Texas Secretary of State is required to certify any service company contracting with a county for voter registration services. Certification as a voter registration vendor in the state of Texas is a privilege, not a right. Specifically, Section 18.012 provides:

Sec. 18.012. Secretary of State to Approve Computer Services Contracts. (a) A county may not contract with a computer service company or other private business entity for services related to the lists required under this subchapter unless the programs, equipment, or other materials to be covered by the contract are approved by the secretary of state. The secretary may rescind approval of the programs, equipment, or other materials at any time, and on that action, the contract is nullified to the extent that it depends on the disapproved items. (b) A computer service company or other private business entity may not use modified programs, equipment, or other materials under the contract unless the modifications are approved by the secretary of state. (c) A person commits an offense if the person violates Subsection (b). An offense under this subsection is a Class A misdemeanor.

As a currently certified vendor in Texas, VOTEC has been successful in exchanging required data files and electronic information with the statewide voter registration system. An essential component of the certification is that counties have the ability to successfully transmit daily information to the statewide voter registration database to maintain the accuracy of the county voter registration data. Likewise, all certified vendors must agree to make modifications to any software to support legislative changes and directives from the Secretary of State.

Implementing recent legislative requirements necessitated modifications and enhancements to the current statewide system on an expedited basis. It is your obligation to ensure that all changes are made in a timely manner to ensure counties utilizing your application are in compliance with state law and directives set out by the Secretary of State. Several counties have expressed concerns with the inability to provide the daily information exchange, and some counties have indicated that updated software to report data to our office related to voting by mail and the reporting of provisional ballots was delayed or may not yet have been implemented.

John Medcalf Page 2

Additionally, we have been made aware through third-party sources that your company may have provided instructions to counties that conflict with our office's directives. Any such conflicting directions must cease immediately.

We ask you to confirm that you are committed to implementing all future legislative changes and that solutions implementing recent requirements are currently available to all counties to ensure their compliance with state law and our office's directives. We also ask you to confirm that you are working to support your counties in providing daily information exchanges in accordance with these requirements. In turn, our office will continue to work collaboratively with you to navigate the implementation and to provide the highest quality solutions to Texas counties.

Sincerely.

Adam Bitter General Counsel

Office of the Texas Secretary of State

Message

From: Karen Richards [karen.richards@votec.net]

Sent: 2/23/2022 5:35:55 PM

To: Adam Bitter [ABitter@sos.texas.gov]

CC: John Medcalf [john.medcalf@votec.net]; Tom Nolan [tnolan@votec.net]

Subject: VOTEC - Response to SOS 2/18 SB1 Letter **Attachments**: VOTEC - SOS Response 02232022.docx

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to <u>Informationsecurity@sos.texas.gov</u>.

Good morning Mr. Bitter,

Please find attached VOTEC's response to your letter received on February 28th. Do not hesitate to contact me if you have any additional questions and/or concerns.

Sincerely,

Karen

Karen Richards

President/Director of Compliance Practices

10920 Via Frontera Suite 110 San Diego CA 92127 <u>800.348.6832</u> (toll free) <u>858.674.5532</u> (local)

Fax: 858.674.6050 WWW.VOTEC.NET



VOTEC Corporation

Adam Bitter General Counsel Office of the Secretary of State Executive Division P.O. Box 12887 Austin, Texas 78711-2887

Dear Mr. Bitter,

We appreciate your recent letter summarizing your concerns regarding the implementation requirements set forth by SB1. We know the magnitude of work involved to implement a bill with so many facets and encompass all the technical, functional and regulatory requirements.

We have been working diligently to ensure that our customers are informed of the changes and that all imports to the state have been in compliance. There may have been a few communications difficulties as we faced an immediate deadline to implement the new tracking and reporting protocols. We will continue to work closely with both our customers and the State to ensure correct procedures are being followed.

In line with our mutual concern for rapid compliance, we have been informed by our customer counties that they are receiving technical advisories that we have not been copied on. To avoid any misunderstandings or miscommunication moving forward we respectfully request, as a certified vendor, that TEAM be reminded to include us whenever new information is being promulgated that would impact the reporting requirements to the State.

We have a respectable relationship with Kristi Hart and her staff by working in partnership for submitting test files to the State to assist in scrutinizing and vetting new requirements and procedures. We will continue those efforts to ensure all SB1 reporting requirements are met.

Please let me know if you have any additional questions or concerns.

Best Regards,

Karen Richards
President/Director of Compliance
VOTEC Corporation
10920 Via Frontera, Suite 110
San Diego, CA 92127

Exhibit 73

Message

From: Elections Internet [Elections@sos.texas.gov]

Sent: 4/14/2022 8:11:22 PM

To: Elections Internet [Elections@sos.texas.gov]

Subject: MASS EMAIL (Offline/Vendors-68) Voter Sync for Offline Counties

Dear County Election Officials:

As a reminder, all offline counties are responsible for making sure that TEAM, the official statewide database, is in sync with your current county records. This is critically important in assuring that all voters have access to the <u>Ballot by Mail Tracker</u> and for verification of personally identifiable information for applications for mail ballots and acceptance of mail ballots. All offline counties should complete the Voter Sync process on a regular basis and before each statewide election.

If you have not already completed the sync process during the past month, we ask that all offline counties initiate this process as soon as possible in advance of the May elections.

As always, if we can be of assistance, please do not hesitate to contact the TEAM team at (800) 252-2216, Option 1 or Elections@sos.texas.gov.

TEAM Team

Office of the Secretary of State 800-252-2216

www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Exhibit 74

Message

From: Adam Bitter [ABitter@sos.texas.gov]

Sent: 12/20/2021 4:53:31 PM

To: John Scott [JScott@sos.texas.gov]; Joe Esparza [JEsparza@sos.texas.gov]; Sam Taylor [SMTaylor@sos.texas.gov]

Subject: FW: Weekend Comparative Process



From: Kristi Hart <KHart@sos.texas.gov>
Sent: Monday, December 20, 2021 10:16 AM

To: Keith Ingram <KIngram@sos.texas.gov>; Adam Bitter <ABitter@sos.texas.gov>

Subject: Weekend Comparative Process

Good morning!

As you know, we ran the comparative process over the weekend. We did run queries prior to and following the process. That information is listed below.

Query	Before	After
Number of active and suspense voting records with no TDL in the record:	1,344,584	493,823
Number of active and suspense voting records with no SSN in the record:	1,165,612	422,259
Number of active and suspense voting records with only 4 digits of SSN in the record:	1,165,639	422,053
Number of active and suspense voting records with neither TDL or SSN in the record:	259,227	106,911
Number of active and suspense voting records with full TDL but no SSN in the record:	906,444	315,376
Number of active and suspense voting records with at least 4 digits of SSN but no TDL in the record:	1,085,062	386,881

Message

From: Kristi Hart [KHart@sos.texas.gov]

Sent: 12/23/2022 5:46:14 PM

To: Keith Ingram [KIngram@sos.texas.gov]; Christina Adkins [CAdkins@sos.texas.gov]; Adam Bitter

[ABitter@sos.texas.gov]

Subject: Comparative Process

The process is complete. Below are the initial and post query results.

	Initial	Post
Number of active and suspense voters that have no TDL on their voter record. (null value)	512,134	463,393
Number of active and suspense voters that have no SSN on their voter record. (null value)	461,146	392,084
Number of active and suspense voters that have neither a TDL or SSN on their voter record. (null value for both fields)	95,181	93,867
Number of active and suspense voters that have TDL but null value for SSN.	365,965	298,217
Number of active and suspense voters that have at least four digits of SSN but null value for TDL.	416,891	369,468

Exhibit 75

Training for EVBB/SVC members on new Ballot by Mail Procedures (Primary Focused)

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TOPICS COVERED

- Changes to ABBMs
- Changes to FPCA process
- New Requirements for the Carrier Envelope
- New Process for EVBB/SVC
- Possible Scenarios Regarding Carrier Envelopes
- Notifying Voters of Defects
- Correcting Defects
- Impacts on FPCA Voters
- New Forms
- Early Voting Clerk Providing Notification of Defects

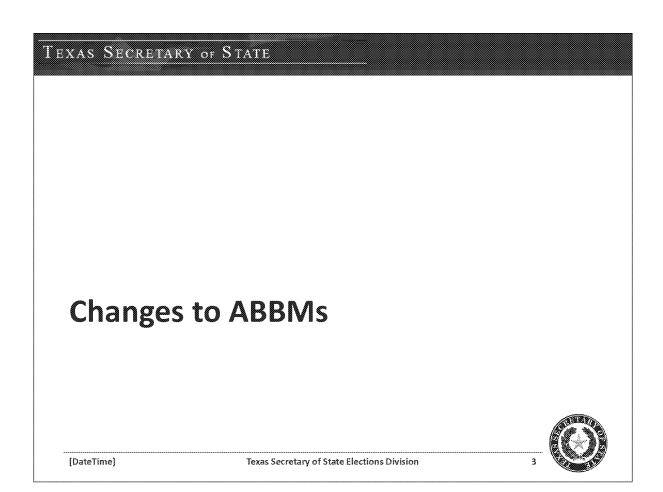
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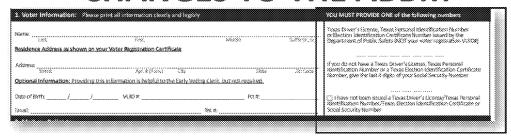
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CHANGES TO THE ABBM



Box 1: Personal Identification Numbers – Voter must provide:

- Texas Driver's License, Texas Personal Identification Number, or Election Identification Certificate Number issued by DPS, OR
- Last four digits of SSN, OR
- An indication that they have not been issued either number.
- The personal identification information provided by the voter on the ABBM MUST be validated
 off of the voter's voter registration record.



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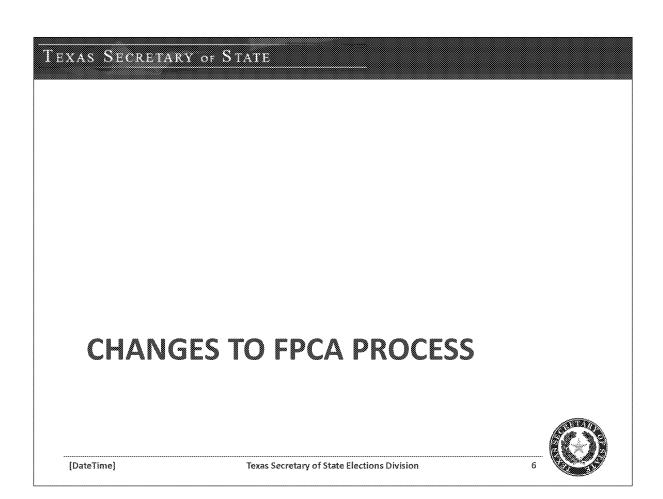
Key Points to Remember

- Voters are not required to provide both types of identification numbers.
- If a voter provides both numbers, only one number has to match the VR record.
- Do not delay in mailing rejection notices.
- Voters are not required to use the Ballot by Mail Tracker to correct missing information. They can submit a new ABBM or a new VR application, whichever is applicable.
- County early voting clerks are REQUIRED to submit rejected ABBM information to TEAM (or though their vendor, if it provides data to TEAM). This is what populates the Ballot by Mail Tracker.

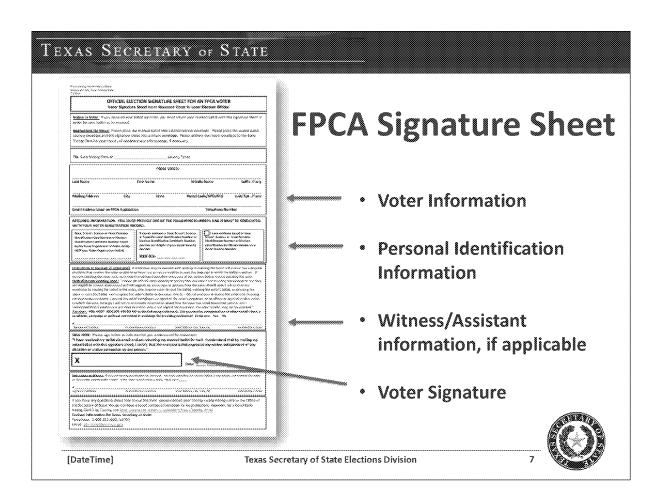
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Impacts on FPCA Voters

- To facilitate the mailing of FPCA balloting materials, early voting clerks may use any type of mailing envelope that contains the Official Election Mail logo and the required postage-paid information as long as the early voting clerk includes a required signature sheet for the voter to complete.
- All FPCA voters must be provided with an Official Election Signature Sheet for an FPCA Voter if their balloting materials were sent by email.
- If the balloting materials were sent by physical mail, but the early voting clerk is using one of the FVAP envelopes that does not contain all of the requirements for the carrier envelope, the voter MUST be provided with an Official Election Signature Sheet for an FPCA Voter to return with their marked ballot.
- What this means for SVC/EVBB review? This means you may be seeing more signature sheets for FPCA voters.

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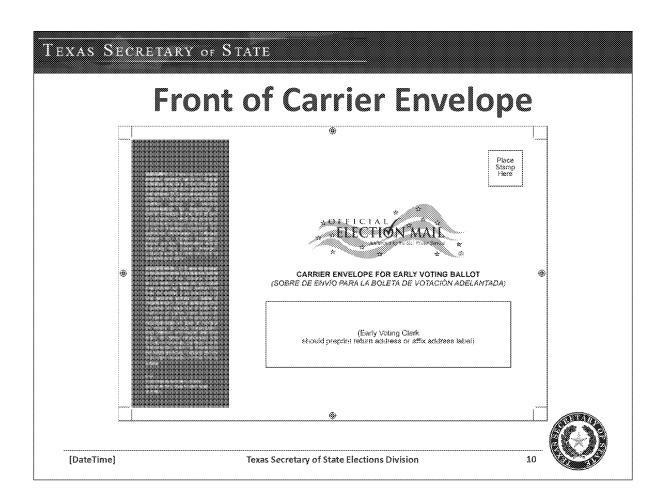
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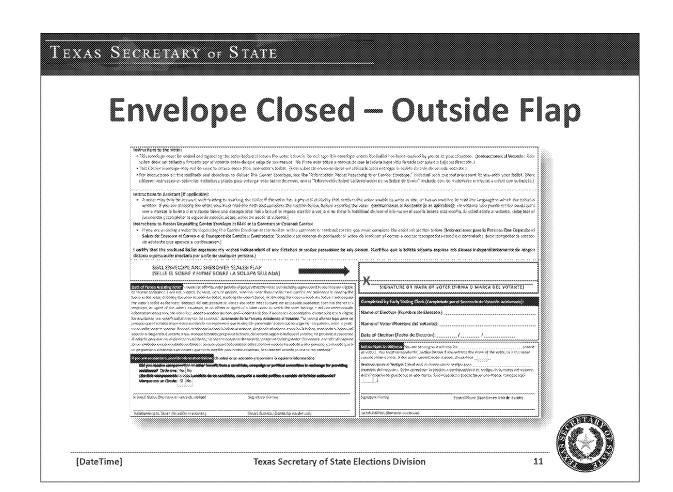
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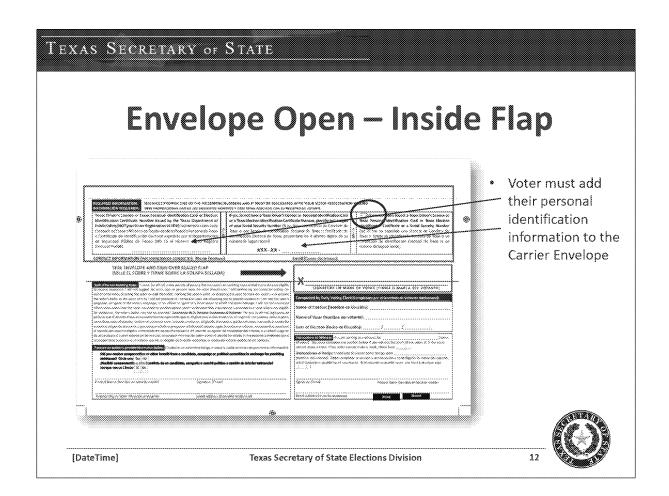


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Key Points to Remember

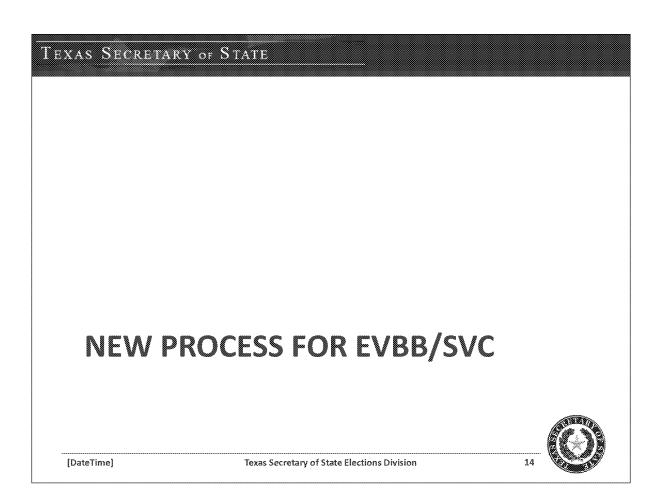
- Voters are not required to provide both types of identification numbers.
- If a voter provides both numbers, only one number has to match the VR record.
- The secrecy flap may be opened by the early voting clerk's staff for processing.
- Be mindful with these carrier envelopes! The carrier envelopes have personally identifiable information that needs to be guarded.
- Carrier envelopes are not public information at this point in the election process.

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New Comparison Requirements

- The EVBB shall only accept a ballot if the personal identification information (ex: SSN or TXDL) matches the voter registration record.
- The SVC/EVBB is matching the information on the carrier envelope to the VR record.
- The number on the carrier envelope does not have to be the same number on the ABBM – it must only match the VR record.

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Rebuttable Presumption

- If the personal identification information provided matches the VR record, the signatures on the ABBM and the carrier envelope are rebuttably presumed to be those of the voter.
- The presumption may be rebutted by presenting other past signatures on file with the EVC or VR that would support a finding that the signatures on the carrier envelope and ABBM are not those of the voter.

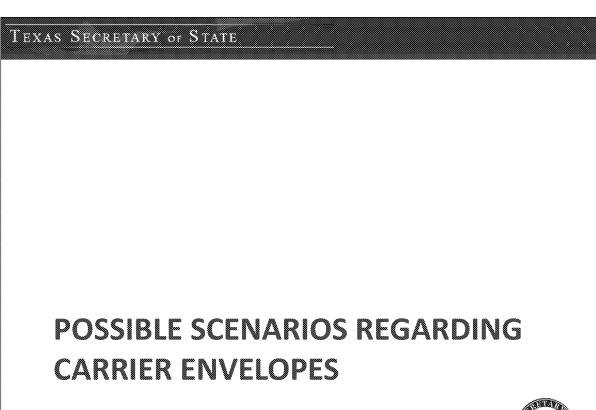
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• Scenario 1: Voter provides a personal identification number on the carrier envelope that matches the number in the voter's voter registration record. The SVC or EVBB has completed the verification of personal identification information and should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.

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• Scenario 2: Voter provides a personal identification number on the carrier envelope that matches the number in the voter's voter registration record, but it is a different type of number than what the voter listed on the ABBM. (Example: Voter provided last four digits of social security number on ABBM and a driver's license number on carrier envelope.) Because the voter's voter registration record contains both personal identification numbers, the SVC or EVBB is able to verify the voter's identity. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.

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• Scenario 3: Voter provides the last four digits of their social security number on the carrier envelope. The voter registration record contains a driver's license number and social security number. The SVC or EVBB is able to validate that the partial social security number on the carrier envelope matches the number in the voter's voter registration record. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.

NOTE: The obligation of the SVC or EVBB in reviewing the identification information on a carrier envelope is to determine if the information provided by the voter on the envelope identifies the same voter identified on the voter's voter registration record. (Secs. 87.027, 87.0271, 87.041(b)(8),

87.0411).



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Possible Scenarios – Carrier Envelopes

• Scenario 4: Voter indicates on the carrier envelope that they have not been issued any of the required personal identification numbers, and the voter's voter registration record does not contain any of these numbers. The SVC or EVBB has completed the verification of personal identification information, and it must rely on the signature comparison process for this part of the review. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.

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 Scenario 5: Voter provided one of the required personal identification numbers on the ABBM that matched the voter's voter registration record, but the voter does not include an identification number on the carrier envelope. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope, as described in more detail below. If the voter timely corrects the defect, and there are no other grounds for rejection, the ballot would be accepted.

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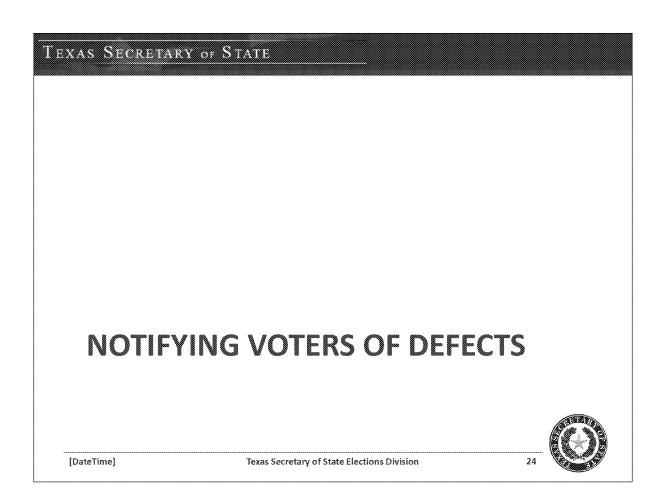
 Scenario 6: Voter provided one of the required personal identification numbers on the ABBM that matched the voter's voter registration record, but the voter indicates on the carrier envelope that they have not been issued one of the applicable identification numbers. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope. If the voter timely corrects the defect, and there are no other grounds for rejection, the ballot would be accepted.

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Signature Verification Committee Corrective Action Process

- The following defects are eligible for correction when identified by the signature verification committee (Sec. 87.0271(a)):
 - The voter did not sign the carrier envelope certificate.
 - The SVC cannot determine whether the signature on the carrier envelope is that of the voter.
 - The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
 - If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.
 - NOTE: Incomplete information about an assistant cannot be corrected and will
 result in a rejected mail ballot, but the voter may still vote in person if
 otherwise eligible.

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Early Voting Ballot Board Correction Process

- The following defects are eligible for correction when identified by the early voting ballot board (Sec. 87.0411(a)):
 - The voter did not sign the carrier envelope certificate.
 - The EVBB cannot determine whether the signature on the carrier envelope is that of the voter.
 - The voter did not include the required statement of residence.
 - The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
 - If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.
 - NOTE: Incomplete information about an assistant cannot be corrected by EVBB/SVC and will result in
 a rejected mail ballot, but the voter may still vote in person if otherwise eligible.
- Only the EVBB has the authority to open the sealed part of carrier envelope to determine if a statement of residence (SOR) has been submitted.
 - The only exception is for FPCA voters. An SVC must open the sealed envelope to obtain the Signature Sheet for FPCA Voter, as this is necessary for the signature verification process

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Corrective Action Timelines

- Returning the Carrier Envelope by Mail: If the SVC or EVBB determines that it would be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB must mail the original defective carrier envelope to the voter. This determination must be made not later than the second business day after the SVC or EVBB discovers a defect, and before the SVC or EVBB decides whether to accept or reject a timely delivered mail ballot. (Secs. 87.0271(b), 87.0411(b)).
- Notifying the Voter of Defect by Phone or Email: If the SVC or EVBB determines that it would NOT be possible for the voter to correct the defect and return the carrier envelope before the time the polls are required to close on election day, the SVC or EVBB may notify the voter of the defect by telephone or email and inform the voter that the voter may come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. (Secs. 87.0271(c), 87.0411(c)).

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If the SVC or EVBB takes one of the actions described above, the committee or board <u>must</u> take that action with respect to each ballot in the election to which these options apply.

(Secs. 87.0271(d), 87.0411(d)).

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Recommendations

• The SOS recommends that before qualifying mail ballots, the EVBB/SVC meet with the Early Voting Clerk to determine dates to convene and to establish timelines for the corrective action process. (Secs. 87.0411, 87.0271).

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Establishing Timelines and Guidelines for the Corrective Action Process

- The SVC or EVBB must set a uniform policy for when carrier envelopes will be mailed to the voter versus when voters will be notified of the defect by phone or email.
- The SVC or EVBB should determine whether it will notify voters of a defect by both phone and email, if both are available.
- The SVC or EVBB should establish a policy for making multiple attempts to reach a voter if it is unsuccessful in reaching a voter by phone or email on the first attempt.
- Consider U.S. Postal Service (USPS) guidelines. Ask your EVB to consult with your local post office.
- SOS Recommendation: The SVC or EVBB should consider implementing a policy to
 provide notification of a defect by phone or email to all voters whose ballots are
 reviewed by the SVC or EVBB on or after the 14th day before election day
 (approximately 10 business days). This may be modified based on discussions
 with your local USPS representatives.

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Carrier Envelope Returned by Mail

- Stamp or mark the voter's carrier envelope with the words "Corrective Action Required."
- 2. Note the appropriate defect on the Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail.
- 3. Mail the voter's defective carrier envelope along with the Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail. The early voting clerk should include an envelope for the voter to return the corrected carrier envelope to the early voting clerk. This envelope should contain the Official Election Mail logo prescribed by the USPS. The voter must be notified if the return envelope needs additional postage.
- 4. Enter the voter's information on the Roster of Voters with Defective Carrier Envelopes Returned to the Voter by Mail.

*The actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these administrative functions that carry out the instructions and actions of the SVC/EVBB

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Notifying Voter by Phone or Email (Carrier Envelope is NOT mailed to Voter)

- · If notifying by email:
 - Send the voter the Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email via email.
 - The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes – Notified by Phone or Email, and the action taken by the voter should be noted on the roster.
 - 3. Parameters for Email Notification: The SOS recommends that the early voting clerk set up an email address for corrective action notifications. The early voting clerk and the SVC or EVBB should establish rules and procedures for utilizing this email address. Any emails sent or received through the corrective action process are considered election records under the Election Code, are subject to the Public Information Act, and should be retained by the general custodian of election records. The general custodian should consult with their attorney regarding any requests for such emails, as certain information may be exempt from disclosure under the Public Information Act.

*The actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these administrative functions that carry out the instructions and actions of the SVC/EVBB

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Notifying Voter by Phone or Email (Carrier Envelope is NOT mailed to Voter)

- · If notifying by phone:
- Contact the voter using any known phone number on file with the early voting clerk or in the possession of the SVC or EVRB.
 - NOTE: As a reminder, the voter registrar may not transcribe, copy or otherwise record a telephone number furnished on a voter
 registration application. (Sec. 13.004). The SVC or EVBB may be able to review a voter registration application at the voter
 registrar's office to obtain a phone number. The registrar may also read a phone number from a voter registration application to a
 member of the SVC or EVBB, if necessary.
- The SVC or EVBB should create a phone script that explains to the voter that the voter's mail ballot was received by the early voting clerk's office and has been reviewed by the SVC or EVBB, whichever is applicable.
- 3. The SOS recommends that the SVC or EVBB confirm the voter's identity using publicly available information.
 - Example: Ask the voter to confirm their voter registration address and whether they requested a mail ballot for the given election.
- 4. The voter should be told that upon review of the carrier envelope, the SVC or EVB3 discovered a defect in the carrier envelope. The specific defect should be explained.
- The SVC or EVBB should explain the process for the voter to correct the defect as well as the process to cancel their mail ballot and vote in person during early voting or on election day.
- 6. Provide a return phone number that the voter may use to confirm that they were contacted by the SVC or EVBB. The number provided should be the number of the early voting cierk's office so the voter can verify this information and obtain details about the corrective action process during times that the SVC or EVBB are not meeting.
- The voter's name should be entered on the Roster and the action taken by the SVC or EVBB should be noted on the
 roster.

*Many of the actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these administrative functions that carry out the instructions and actions of the SVC/EVBB



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If the SVC or EVBB is unable to contact the voter...

- The SVC or EVBB should leave a detailed message explaining that the SVC or EVBB determined there was a defect in the
 voter's carrier envelope and explain the process for correcting the defect.
- The SVC or EVBB should NOT provide any details related to a voter's personally identifiable information on a voicemail or with a person who is not the voter.
- 3. The SVC or EVBB should leave a return number that the voter may use to validate the information provided by phone.
- 4. The SVC or EVBB should mail the voter a Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.
- 5. The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes Notified by Phone or Email, and the action taken by the SVC or EVBB should be noted on the roster.
- If the SVC or EVBB does not have a phone number or email to notify the voter: The SVC or EVBB should mail a Notice of Carrier Defect — Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.

*Many of the actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these administrative functions that carry out the instructions and actions of the SVC/EVBB



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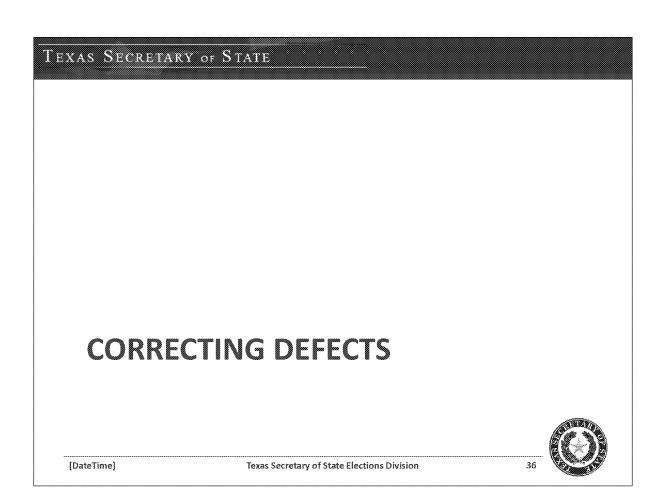
Key Points to Remember

- Any actions taken by the SVC or EVBB shall be uniformly applied to every ballot in the election to which this procedure applies. (Secs. 87.0271(d), 87.0411(d)).
- A poll watcher is entitled to observe any action taken by the SVC or EVBB related to the corrective action process. (Secs. 87.0271(e), 87.0411(e)).
- Poll watchers may not transcribe or make notes of any voter's personally identifiable information while observing the activities of the SVC or EVBB.

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How do Voters Correct Defects?

- If the carrier envelope was mailed back to the voter, the voter MUST return the Carrier Envelope with the revisions/corrections.
 - Deadline for Correction: If the SVC or EVBB has returned the voter's carrier envelope by mail for correction, the voter also MUST return the carrier envelope to the early voting clerk no later than 7:00 p.m. on election day for the ballot to be processed and counted. (Secs. 87.0271(b), 87.0411(b)).
- If the carrier envelope was NOT mailed back to the voter, the voter may correct the defects in the following ways:
 - Utilizing the BBM Tracker for defects related to a missing or incorrect personal identification numbers.
 - Updating their Voter Registration record through Texas. Gov for defects related to missing or incorrect personal identification numbers.
 - Appearing in Person at the EV Clerk's Office and submitting a Corrective Action Form.
 - Cancelling their Mail ballot and Voting in Person.
 - Deadline for Correction: This Corrective Action Process must occur no later than the 6th day after election day. The EVBB cannot finally reject a ballot before the 7th day after election day. (Secs. 87.0271(b), 87.0411(b)).

Corrective Actions taken by the voter MUST be provided to the EVBB for their final review of the ballot before determining acceptance or rejection.

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Correcting Defect by Cancellation

- After receiving a Notice of Carrier Defect by mail or receiving notification via email or phone, the voter may opt to cancel their ballot by mail and vote a regular ballot in person. All cancellations must be completed in accordance with Section 84.032. If the voter is an Annual ABBM voter, a cancellation request submitted for these purposes applies only to the current election unless the voter specifically requests to cancel their Annual ABBM. (Sec. 84.038).
- There is no process under Texas law by which a voter can cancel a mail ballot application by phone. All cancellations must be in writing and completed in accordance with Section 84.032 of the Texas Election Code.
- See pages 13-14 of Advisory 2022-08 for more details.

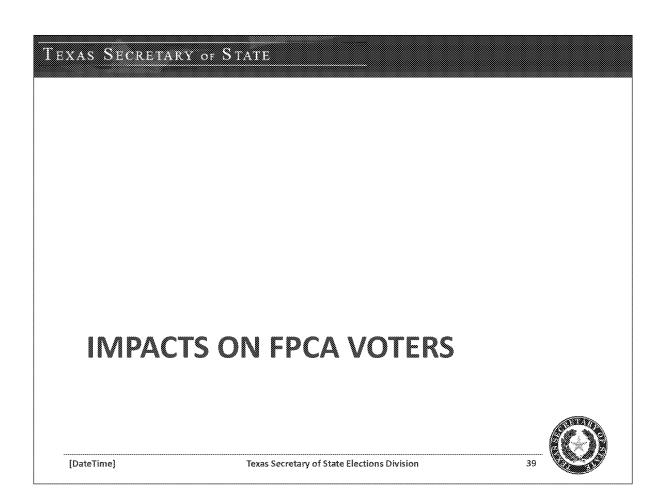
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Impacts on FPCA Voters

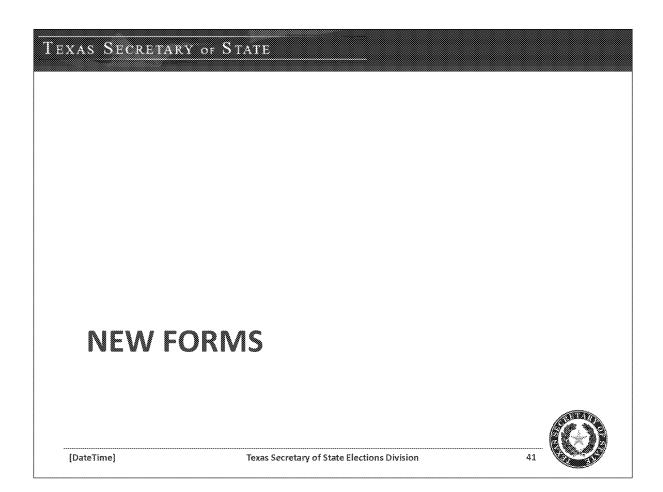
- If the FPCA voter provides missing or incorrect identification information on their carrier envelope or signature sheet, or did not include the Official Election Signature Sheet for an FPCA Voter, the voter must be notified of the defect in the same manner as a regular ABBM voter.
- Because the signature sheet is separate from the voted ballot and is authorized under state and federal law, FPCA voters who have a defect in their signature sheet have additional methods for returning this corrected or missing required documentation.
- Specifically, an FPCA voter may submit a corrected signature sheet by email, fax, personal delivery, or mail. The SVC or EVBB should make an appropriate notation on their roster to indicate how FPCA voters were notified of a defect and how the FPCA voter provided the corrected signature sheet to the SVC or EVBB. (Secs. 1.007, 31.003, 31.004, 87.0271(f), 87.0411(f), 101.007, 101.109).

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Notice of Carrier Defect

- We have prescribed two versions of this form:
 - The Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail
 - The Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email
- The Notice of Carrier Defect contains the Corrective Action Form for Defective Carrier Envelope on the reverse side of the form.

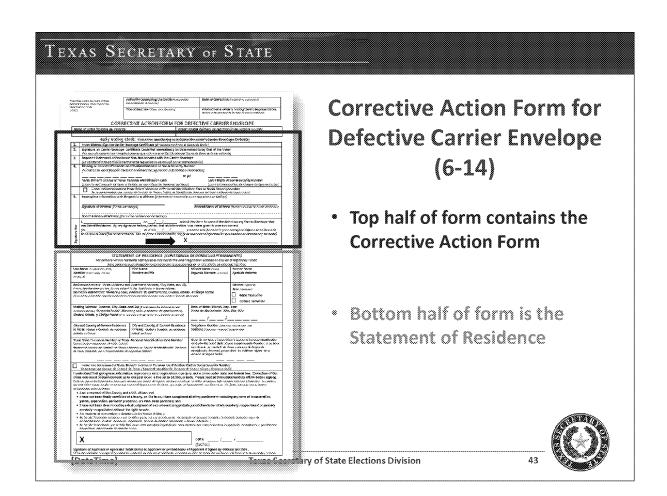
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Roster of Voters with Defective Carrier Envelopes (Forms 8-20, 8-21, 8-22)

- EVBB/SVC should create a roster to track the corrective action process.
- SOS has prescribed three different sample forms for use by EVBB/SVC.
- EVBB/SVC can also track the information electronically or create their own roster.

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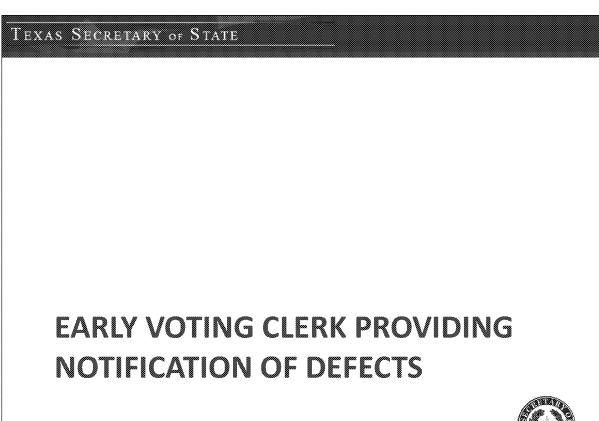
Notice of Surrendered Ballot (6-13)

• Upon surrendering their mail ballot, the voter will be issued the **Notice of Surrendered Ballot by Mail**. The voter will take this form to their early voting or election day polling place and present the form to the election judge, entitling the voter to vote a regular ballot in person.

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Early Voting Clerk Notification of Defects

- Under Section 86.011(d) of the Code, if an early voting clerk receives a timely carrier envelope that does not comply with the applicable requirements of the Code, the early voting clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. Additionally, the early voting clerk may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their ABBM and vote in person.
 - Early voting clerks may return carrier to voter for correction.
 - Early voting clerks may notify voter of defect by phone and inform the voter they can come to the EVC's office to correct defect or cancel their application.

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Early Voting Clerk Notification of Defects

- What defects can an early voting clerk provide notice about?
 - Missing signature
 - Missing or incomplete witness information
 - Missing assistant information
 - If the early voting clerk is removing the secrecy flap before the ballot is sent to the SVC/EVBB:
 - Missing personal identification information
 - Incorrect personal identification information

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Early Voting Clerk Notification of Defects

- If an early voting clerk chooses to notify voters of defects in their carrier envelope under Section 86.011(d), the clerk must apply these procedures uniformly to all voters in similar circumstances.
- Poll watchers may be present for this process. (Sec. 86.011(d)).

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Texas Secretary of State Elections Division 3/22/2022

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Questions?

elections@sos.texas.gov

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Exhibit 76

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Training for EVBB/SVC Members on New Ballot by Mail Procedures

General Election for State and County Officers (GESCO)

Texas Secretary of State – Elections Division



10/11/2022

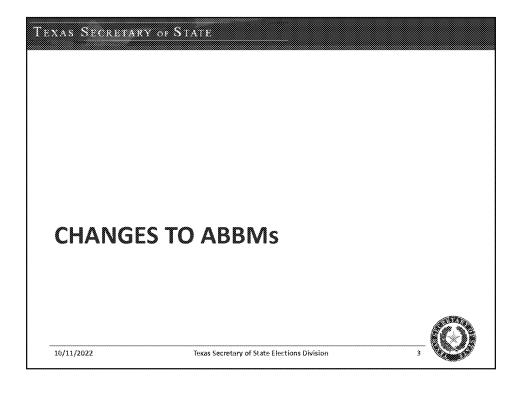
Texas Secretary of State Elections Division

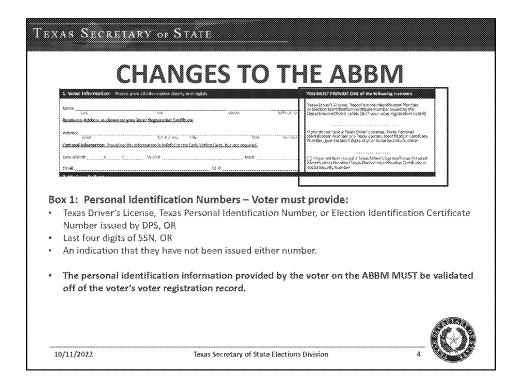
TOPICS COVERED

· Changes to ABBMs

- Changes to FPCA Process
- New Requirements for the Carrier Envelope
- New Process for EVBB/SVC
- Possible Scenarios Regarding Carrier Envelopes
- · Notifying Voters of Defects
- Correcting Defects
- Impacts on FPCA Voters
- New Forms
- Early Voting Clerk Providing Notification of Defects

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Key Points to Remember

- Voters are not required to provide both types of identification numbers.
- If a voter provides both numbers, only one number has to match the VR record.
- Early Voting Clerks should not delay in mailing rejection notices.
- Voters are not required to use the Ballot by Mail Tracker to correct missing information. They can submit a new ABBM or a new VR application, whichever is applicable.
- County early voting clerks are REQUIRED to submit rejected ABBM information to TEAM (or though their vendor, if it provides data to TEAM). This is what populates the Ballot by Mail Tracker.

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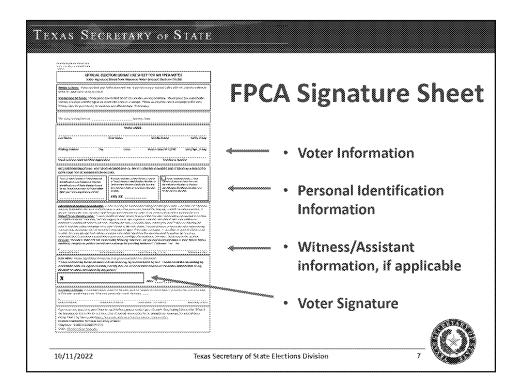
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CHANGES TO FPCA PROCESS

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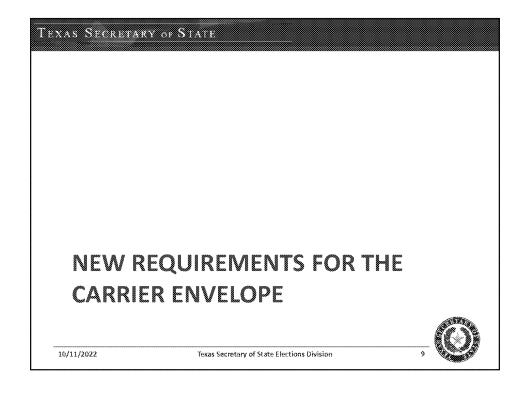


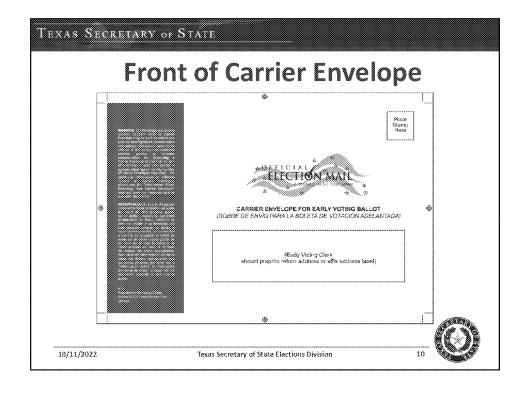
Impacts on FPCA Voters

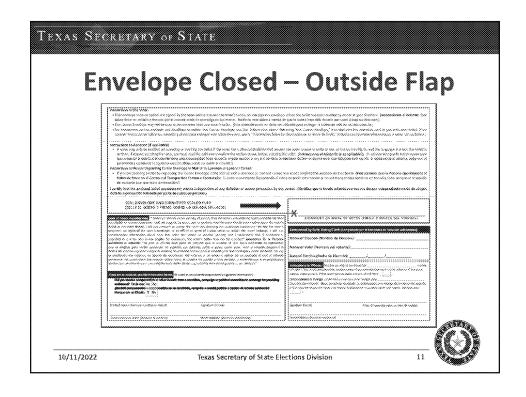
- To facilitate the mailing of FPCA balloting materials, early voting clerks may use any type of mailing envelope that contains the Official Election Mail logo and the required postage-paid information as long as the early voting clerk includes a required signature sheet for the voter to complete.
- All FPCA voters must be provided with an Official Election Signature Sheet for an FPCA Voter if their balloting materials were sent by email.
- If the balloting materials were sent by physical mail, but the early voting clerk is using one of the FVAP envelopes that does not contain all of the requirements for the carrier envelope, the voter MUST be provided with an Official Election Signature Sheet for an FPCA Voter to return with their marked ballot.
- What this means for SVC/EVBB review? There may be an increased number of signature sheets for FPCA voters.

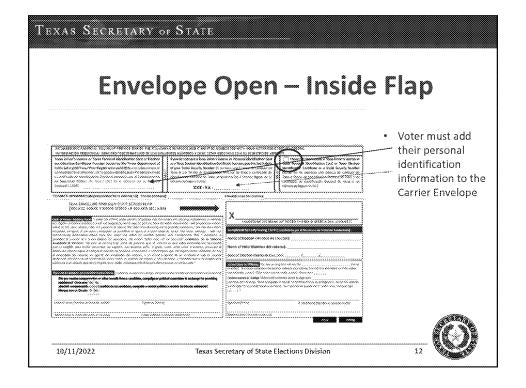
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Key Points to Remember

- Voters are not required to provide both types of identification numbers.
- If a voter provides both numbers, only one number has to match the VR record.
- The secrecy flap may be opened by the early voting clerk's staff for processing.
- Be mindful with these carrier envelopes, as they have personally identifiable information that needs to be guarded.
- Carrier envelopes are not public information at this point in the election process.

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NEW PROCESS FOR EVBB/SVC

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New Comparison Requirements

- The EVBB shall only accept a ballot if the personal identification information (ex: SSN or TXDL) matches the voter registration record.
- The SVC/EVBB is matching the information on the carrier envelope to the **VR record**.
- The number on the carrier envelope does not have to be the same number on the ABBM – it must only match the VR record.

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Rebuttable Presumption

- If the personal identification information provided matches the VR record, the signatures on the ABBM and the carrier envelope are rebuttably presumed to be those of the voter.
- The presumption may be rebutted by presenting other past signatures on file with the EVC or VR that would support a finding that the signatures on the carrier envelope and ABBM are not those of the voter.

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POSSIBLE SCENARIOS REGARDING CARRIER ENVELOPES

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Possible Scenarios – Carrier Envelopes

 Scenario 1: Voter provides a personal identification number on the carrier envelope that matches the number in the voter's voter registration record. The SVC or EVBB has completed the verification of personal identification information and should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.

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Possible Scenarios – Carrier Envelopes

Scenario 2: Voter provides a personal identification number on the carrier envelope that matches the number in the voter's voter registration record, but it is a different type of number than what the voter listed on the ABBM. (Example: Voter provided last four digits of social security number on ABBM and a driver's license number on carrier envelope.) Because the voter's voter registration record contains both personal identification numbers, the SVC or EVBB is able to verify the voter's identity. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.



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Possible Scenarios – Carrier Envelopes

- Scenario 3: Voter provides the last four digits of their social security number on the carrier envelope. The voter registration record contains a driver's license number and social security number. The SVC or EVBB is able to validate that the partial social security number on the carrier envelope matches the number in the voter's voter registration record. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.
 - NOTE: The obligation of the SVC or EVBB in reviewing the identification information on a carrier envelope is to determine if the information provided by the voter on the envelope identifies the same voter identified on the voter's voter registration record. (Secs. 87.027, 87.0271, 87.041(b)(8), 87.0411).



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Possible Scenarios – Carrier Envelopes

• Scenario 4: Voter indicates on the carrier envelope that they have not been issued any of the required personal identification numbers, and the voter's voter registration record does not contain any of these numbers. The SVC or EVBB has completed the verification of personal identification information, and it must rely on the signature comparison process for this part of the review. The SVC or EVBB should perform its remaining duties in the ballot review process. If the SVC or EVBB does not identify any other ground for rejection, the ballot would be accepted.



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Possible Scenarios – Carrier Envelopes

Scenario 5: Voter provided one of the required personal identification numbers on the ABBM that matched the voter's voter registration record, but the voter does not include an identification number on the carrier envelope. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope, as described in more detail below. If the voter timely corrects the defect, and there are no other grounds for rejection, the ballot would be accepted.



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Possible Scenarios – Carrier Envelopes

• Scenario 6: Voter provided one of the required personal identification numbers on the ABBM that matched the voter's voter registration record, but the voter indicates on the carrier envelope that they have not been issued one of the applicable identification numbers. The SVC or EVBB must notify the voter of their ability to correct this defect in the carrier envelope. If the voter timely corrects the defect, and there are no other grounds for rejection, the ballot would be accepted.

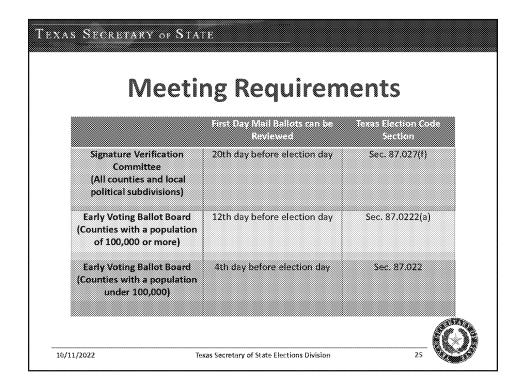
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NOTIFYING VOTERS OF DEFECTS

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Signature Verification Committee Corrective Action Process

- The following defects are eligible for correction when identified by the signature verification committee (Sec. 87.0271(a)):
 - The voter did not sign the carrier envelope certificate.
 - The SVC cannot determine whether the signature on the carrier envelope is that of the voter.
 - The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
 - If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.
 - NOTE: Incomplete information about an assistant cannot be corrected and will
 result in a rejected mail ballot, but the voter may still vote in person if
 otherwise eligible.

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Early Voting Ballot Board Correction Process

- The following defects are eligible for correction when identified by the early voting ballot board (Sec. 87.0411(a)):
 - The voter did not sign the carrier envelope certificate.
 - The EVBB cannot determine whether the signature on the carrier envelope is that of the voter.
 - The voter did not include the required statement of residence.
 - The personal identification information required under Section 84.002(a)(1-a) (ABBM) or Section 86.002 (carrier envelope) was missing or contained incorrect information.
 - If a voter used a witness for completion of the carrier envelope, the witness information was incomplete.
 - NOTE: Incomplete information about an assistant cannot be corrected by EVBB/SVC and will result in a rejected mail ballot, but the voter may still vote in person if otherwise eligible.
- Only the EVBB has the authority to open the sealed part of carrier envelope to determine if a statement of residence (SOR) has been submitted.
 - The only exception is for FPCA voters. An SVC must open the sealed envelope to obtain the Signature Sheet for FPCA Voter, as this is necessary for the signature verification process.

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Corrective Action Timelines

- Returning the Carrier Envelope by Mail: If the SVC or EVBB determines that it
 would be possible for the voter to correct the defect and return the carrier
 envelope before the time the polls are required to close on election day, the SVC
 or EVBB must mail the original defective carrier envelope to the voter. This
 determination must be made not later than the second business day after the SVC
 or EVBB discovers a defect, and before the SVC or EVBB decides whether to accept
 or reject a timely delivered mail ballot. (Secs. 87.0271(b), 87.0411(b)).
- Notifying the Voter of Defect by Phone or Email: If the SVC or EVBB determines
 that it would NOT be possible for the voter to correct the defect and return the
 carrier envelope before the time the polls are required to close on election day,
 the SVC or EVBB may notify the voter of the defect by telephone or email and
 inform the voter that the voter may come to the early voting clerk's office in
 person not later than the sixth day after election day to correct the defect. (Secs.
 87.0271(c), 87.0411(c)).

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If the SVC or EVBB takes one of the actions described above, the committee or board <u>must</u> take that action with respect to each ballot in the election to which these options apply.

(Secs. 87.0271(d), 87.0411(d)).

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Recommendations

 The SOS recommends that before qualifying mail ballots, the EVBB/SVC meet with the early voting clerk to determine dates to convene and to establish timelines for the corrective action process. (Secs. 87.0411, 87.0271).

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Establishing Timelines and Guidelines for the Corrective Action Process

- The SVC or EVBB must set a uniform policy for when carrier envelopes will be mailed to the voter versus when voters will be notified of the defect by phone or email.
- The SVC or EVBB should determine whether it will notify voters of a defect by both phone and email, if both are available.
- The SVC or EVBB should establish a policy for making multiple attempts to reach a
 voter if it is unsuccessful in reaching a voter by phone or email on the first
 attempt.
- Consider U.S. Postal Service (USPS) guidelines. Ask your EVC to consult with your local post office.
- SOS Recommendation: The SVC or EVBB should consider implementing a policy to
 provide notification of a defect by phone or email to all voters whose ballots are
 reviewed by the SVC or EVBB on or after the 14th day before election day
 (approximately 10 business days). This may be modified based on discussions
 with your local USPS representatives.

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Carrier Envelope Returned by Mail

- Stamp or mark the voter's carrier envelope with the words "Corrective Action Required."
- Note the appropriate defect on the Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail.
- 3. Mail the voter's defective carrier envelope along with the Notice of Carrier Defect – Carrier Envelope Returned to the Voter by Mail. The early voting clerk should include an envelope for the voter to return the corrected carrier envelope to the early voting clerk. This envelope should contain the Official Election Mail logo prescribed by the USPS. The voter must be notified if the return envelope needs additional postage.
- Enter the voter's information on the Roster of Voters with Defective Carrier Envelopes – Returned to the Voter by Mail.

*The actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these are administrative functions that carry out the instructions and actions of the SVC/EVBB

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Notifying Voter by Phone or Email (Carrier Envelope is NOT mailed to Voter)

- · If notifying by email:
 - Send the voter the Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email via email.
 - The voter's name should be entered on the Roster of Voters with Defective Carrier
 Envelopes -- Notified by Phone or Email, and the action taken by the voter should be noted
 on the roster.
 - 3. Parameters for Email Notification: The SOS recommends that the early voting clerk set up an email address for corrective action notifications. The early voting clerk and the SVC or EVBB should establish rules and procedures for utilizing this email address. Any emails sent or received through the corrective action process are considered election records under the Election Code, are subject to the Public information Act, and should be retained by the general custodian of election records. The general custodian should consult with their attorney regarding any requests for such emails, as certain information may be exempt from disclosure under the Public Information Act.

*The actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these are administrative functions that carry out the instructions and actions of the SVC/EVBB



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Notifying Voter by Phone or Email (Carrier Envelope is NOT mailed to Voter)

- If notifying by phone:
- Contact the voter using any known phone number on file with the early voting clerk or in the possession of the SVC or £VBB.
 - NOTE: As a reminder, the voter registrar may not transcribe, copy or otherwise record a telephone number furnished on a voter registration application. (Sec. 13.094). The SVC or EVB8 may be able to review a voter registration application at the voter registrar's office to obtain a phone number. The registrar may also read a phone number from a voter registration application to a member of the SVC or EVBB, if necessary.
- The SVC or EVBB should create a phone script that explains to the voter that the voter's mail ballot was received by the early voting clerk's office and has been reviewed by the SVC or EVBB, whichever is applicable.
- 3. The SOS recommends that the SVC or EVBB confirm the voter's identity using publicly available information.
 - Example: Ask the voter to confirm their voter registration address and whether they requested a mail ballot for the given election
- The voter should be told that upon review of the carrier envelope, the SVC or EV8B discovered a defect in the carrier envelope.
 The specific defect should be explained.
- The SVC or EVBB should explain the process for the voter to correct the defect as well as the process to cancel their mail ballot and vote in person during early voting or on election day.
 Provide a return phone number that the voter may use to confirm that they were contacted by the SVC or EVBB. The
- Provide a return phone number that the voter may use to confirm that they were contacted by the SVC or EVBB. The number provided should be the number of the early voting clerk's office so the voter can verify this information and obtain details about the corrective action process during times that the SVC or EVBB are not meeting.
- The voter's name should be entered on the Roster and the action taken by the SVC or EVBB should be noted on the roster.

*Many of the actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these are administrative functions that carry out the instructions and actions of the SVC/EVBB



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If the SVC or EVBB is unable to contact the voter...

- The SVC or EVBB should leave a detailed message explaining that the SVC or EVBB determined there was a defect in the
 voter's carrier envelope and explain the process for correcting the defect.
- The SVC or EVB8 should NOT provide any details related to a voter's personally identifiable information on a voicemail or with a person who is not the voter.
- 3. The SVC or EVBB should leave a return number that the voter may use to validate the information provided by phone.
- 4. The SVC or EVBB should mail the voter a Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or on election day.
- The voter's name should be entered on the Roster of Voters with Defective Carrier Envelopes Notified by Phone or Email, and the action taken by the SVC or EV8B should be noted on the roster.
- If the SVC or EVBB does not have a phone number or email to notify the voter: The SVC or EVBB should mail a Notice of Carrier Defect – Voter Notified of Carrier Envelope Defect by Phone or Email to inform the voter of their ability to correct the defect by appearing at the early voting clerk's office or by cancelling their mail ballot and voting in person during early voting or or election day.

*Many of the actions above can be delegated to the Early Voting Clerk by the SVC/EVBB as these are administrative functions that carry out the instructions and actions of the SVC/EVBB



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Key Points to Remember

- Any actions taken by the SVC or EVBB shall be uniformly applied to every ballot in the election to which this procedure applies. (Secs. 87.0271(d), 87.0411(d)).
- A poll watcher is entitled to observe any action taken by the SVC or EVBB related to the corrective action process. (Secs. 87.0271(e), 87.0411(e)).
- Poll watchers may not transcribe or make notes of any voter's personally identifiable information while observing the activities of the SVC or EVBB.

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CORRECTING DEFECTS

10/11/2022

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How do Voters Correct Defects?

- If the carrier envelope was mailed back to the voter, the voter MUST return the carrier envelope with the revisions/corrections.
 - Deadline for Correction: If the SVC or EV88 has returned the voter's carrier envelope by mail
 for correction, the voter also MUST return the carrier envelope to the early voting clerk no
 later than 7:00 p.m. on election day for the ballot to be processed and counted. (Secs.
 87.0271(b), 87.0411(b)).
- If the carrier envelope was NOT mailed back to the voter, the voter may correct the defects in the following ways:
 - Utilizing the BBM Tracker for defects related to a missing or incorrect personal identification numbers.
 - Appearing in person at the EV clerk's office and submitting a Corrective Action Form.
 - Cancelling their mail ballot and voting in person.
 - Deadline for Correction: This corrective action process must occur no later than the 6th day
 after election day. The EVBB cannot finally reject a ballot before the 7th day after election
 day. (Secs. 87.0271(g), 87.0411(g)).

Corrective actions taken by the voter MUST be provided to the EVBB for their final review of the ballot before determining acceptance or rejection

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Correcting Defect by Cancellation

- After receiving a Notice of Carrier Defect by mail or receiving notification via email or phone, the voter may opt to cancel their ballot by mail and vote a regular ballot in person. All cancellations must be completed in accordance with Section 84.032. If the voter is an Annual ABBM voter, a cancellation request submitted for these purposes applies only to the current election unless the voter specifically requests to cancel their Annual ABBM. (Sec. 84.038).
- There is no process under Texas law by which a voter can cancel a mail ballot application by phone. All cancellations must be in writing and completed in accordance with Section 84.032 of the Texas Election Code.
- See pages 13-14 of Advisory 2022-08 for more details.

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IMPACTS ON FPCA VOTERS

10/11/2022

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Impacts on FPCA Voters

- If the FPCA voter provides missing or incorrect identification information on their carrier envelope or signature sheet, or did not include the Official Election Signature Sheet for an FPCA Voter, the voter must be notified of the defect in the same manner as a regular ABBM voter.
- Because the signature sheet is separate from the voted ballot and is authorized under state and federal law, FPCA voters who have a defect in their signature sheet have additional methods for returning this corrected or missing required documentation.
- Specifically, an FPCA voter may submit a corrected signature sheet by email, fax, personal delivery, or mail. The SVC or EVBB should make an appropriate notation on their roster to indicate how FPCA voters were notified of a defect and how the FPCA voter provided the corrected signature sheet to the SVC or EVBB. (Secs. 1.007, 31.003, 31.004, 87.0271(f), 87.0411(f), 101.007, 101.109).

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NEW FORMS

Texas Secretary of State Elections Division 42

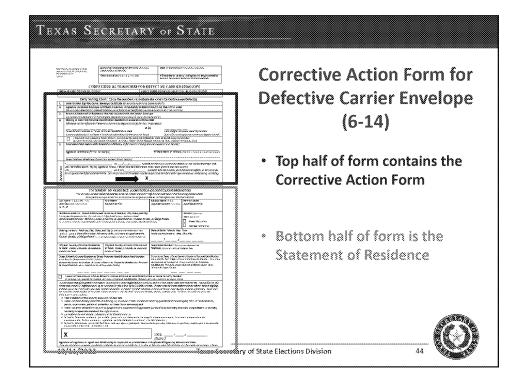
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Notice of Carrier Defect

- We have prescribed two versions of this form:
 - The Notice of Carrier Defect Carrier Envelope Returned to the Voter by Mail
 - The Notice of Carrier Defect Voter Notified of Carrier Envelope Defect by Phone or Email
- The Notice of Carrier Defect contains the Corrective Action Form for Defective Carrier Envelope on the reverse side of the form.

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Roster of Voters with Defective Carrier Envelopes (Forms 8-20, 8-21, 8-22)

- EVBB/SVC should create a roster to track the corrective action process.
- SOS has prescribed three different sample forms for use by EVBB/SVC.
- EVBB/SVC can also track the information electronically or create their own roster.

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Notice of Surrendered Ballot (6-13)

 Upon surrendering their mail ballot, the voter will be issued the Notice of Surrendered Ballot by Mail.
 The voter will take this form to their early voting or election day polling place and present the form to the election judge, entitling the voter to vote a regular ballot in person.

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EARLY VOTING CLERK PROVIDING NOTIFICATION OF DEFECTS

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Early Voting Clerk Notification of Defects

- Under Section 86.011(d) of the Code, if an early voting clerk receives a timely carrier envelope that does not comply with the applicable requirements of the Code, the early voting clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. Additionally, the early voting clerk may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their ABBM and vote in person.
 - Early voting clerks may return carrier to voter for correction.
 - Early voting clerks may notify voter of defect by phone and inform the voter they can come to the EVC's office to correct defect or cancel their application.

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Early Voting Clerk Notification of Defects

- What defects can an early voting clerk provide notice about?
 - Missing signature
 - Missing or incomplete witness information
 - Missing assistant information
 - If the early voting clerk is removing the secrecy flap before the ballot is sent to the SVC/EVBB:
 - Missing personal identification information
 - · Incorrect personal identification information

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Early Voting Clerk Notification of Defects

- If an early voting clerk chooses to notify voters of defects in their carrier envelope under Section 86.011(d), the clerk must apply these procedures uniformly to all voters in similar circumstances.
- Poll watchers may be present for this process. (Sec. 86.011(d)).

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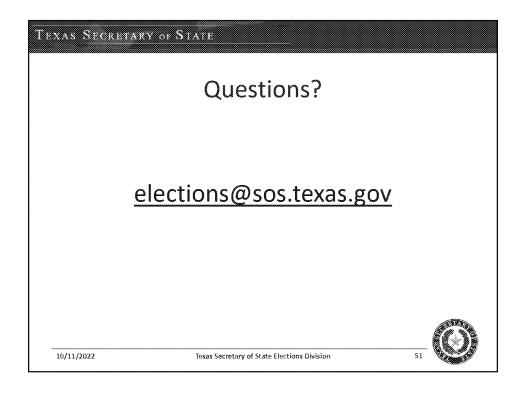


Exhibit 77

Message

From: Elections Internet [Elections@sos.texas.gov]

Sent: 5/18/2022 6:11:40 PM

To: Elections Internet [Elections@sos.texas.gov]

Subject: MASS EMAIL (CC/EA-881): VoteReady Ballot by Mail Informational Pamphlets

Dear Election Officials:

Our office has prepared VoteReady Ballot by Mail Informational pamphlets which are presently available on the <u>VoteTexas.gov</u> "Resources" page in both English and Spanish. You are welcome to print and distribute these pamphlets to your voters and may also place links to these pamphlets on your county's website. For ease of reference, the links to the pamphlets are available below:

English: https://www.votetexas.gov/resources/pamphlets.html
Spanish: https://www.votetexas.gov/es/recursos/folletos.html

Please let us know if you have any questions or concerns.

Heidi Martinez
Managing Attorney – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.state.tx.us/elections

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per \$31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Exhibit 78

PROVIDE THE
NUMBER FROM
ONE OF THESE IDS
TO COMPLETE YOUR
BALLOT BY MAIL
APPLICATION AND
YOUR CARRIER
ENVELOPE.



Texas Driver License*



Texas Election
ID Certificate*†



Texas Personal



Social Security Card

You must provide a number from one of these approved IDs on your ballot by mail application (ABBM) and your carrier envelope. If you have not been issued *any* of these IDs, you must indicate so by checking the appropriate box on the application for a ballot by mail and your carrier envelope.

Find out more about voting in Texas at

VOTETEXAS.GOV

POWERED BY THE TEXAS SECRETARY OF STATE

or call 1-800-252-VOTE (8683)

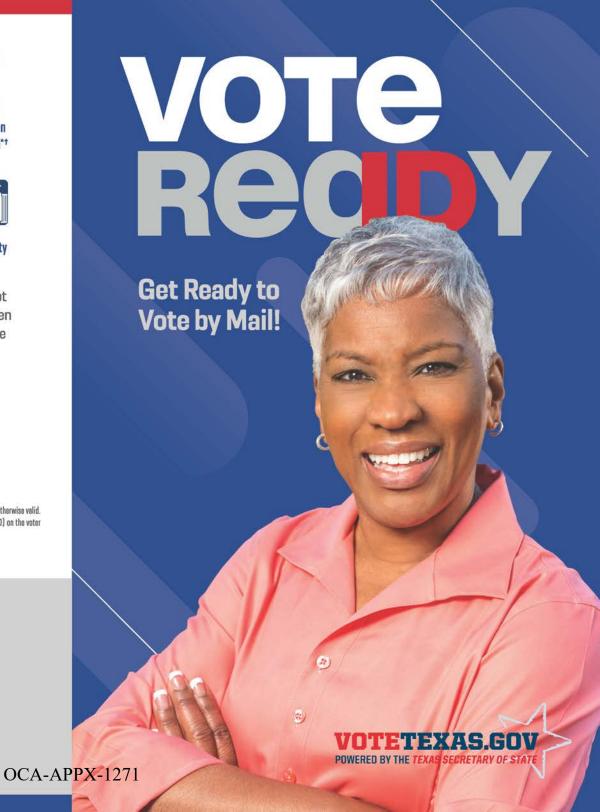
*For voters aged 18-69 years, photo ID can be expired for up to four years. For voters aged 70 and older, photo ID can be expired for any length of time if otherwise valid.

*The Texas Election ID Certificate is a free photo ID issued by DPS for voting purposes. The number on this ID is NOT your Voter Unique Identifier (VUID) on the voter registration card you receive in the mail. Your VUID is NOT required information on either your ABBM or mail ballot carrier envelope.





Scan this QR code to track your application for ballot by mail, check the status of your mail-in ballot and certify your ID information, if necessary.



YOU ARE ELIGIBLE TO VOTE BY MAIL IF YOU MEET ANY OF THE FOLLOWING REQUIREMENTS:

65 years or older





Expected to give birth within 3 weeks of Election Day



Civilly committed under

Chapter 841 of the Texas

Health and Safety Code



Out of the county on Election Day and during the period for early voting by personal appearance



Confined in jail, but are otherwise eligible

How Do You Get a Ballot by Mail?

The first step is to fill out an Application for Ballot by Mail (ABBM). You can find and print the application at VoteTexas.gov or request one from your county's election office. To apply for a ballot by mail, you must provide either: (1) your Texas Driver License, Personal ID or Election Identification Certificate Number; OR (2) the last 4 digits of your Social Security number. The number you provide must be associated with your voter registration record for your ABBM to be accepted.

You are welcome to provide both numbers.

SAMPLE APPLICATION →

Early Voting Clerk, you must a send the original hardcopy to fax or email image and the pi MEET ALL LEGALLY REQUIRES	the this form or mails, emails or faxes the both the begins had done to faxe the both the best than the Clerk receives it no later than the hydral hard sopy. Sections signature D DEADENIS. Please read the hisboot	aly Voting Clark. If you are faxing on the fourth business day after the dia is are not permitted. THE HARDCO tions on the back of this form comp	r emulting this for the Clark receive PY OF THIS APPL lately. If you have	threcs/Assistant Box 6 below. If you email or fax this form to it m on or mast the deadline to apply for a Bullot by Mali, you m or you immit or fax. Original signatures are required on both in ACROM MAST BE RECEPTED BY THE EARLY VOTING CLIPS. At any quartition, please call the Early Voting Clink in your country.
	size print all information clearly and leg			YOU MUST PROVIDE ONE of the following numbers
Name: Besidence Address as shown of	First. on, your Voter Registration Certificate	Attile	5679-01,510	Texas Dinser's License, Texas Pensarul tibrethicolor, Number or Dection Identification Certificate Number standing the Department of Public Safety (NOT your vider registration VAIDE). Throad on not have a Texas Dinser's License, Texas Pensarul.
Sheet	Not into the Colors of the Col	Storing Chest, but not required.	Show	Identification Number or a Texas Disclour Identification Certifical Number, give the last 4-digits of your Social Security Number
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Completing the Carrier Envelope.

When you're ready to mail your ballot, make sure you have completely filled out your carrier envelope before sealing and signing it. Underneath the privacy flap, which allows for the security of your personal information, you must provide either: (1) your Texas Driver License, Personal ID or Election Identification Certificate Number; OR (2) the last 4 digits of your Social Security number. You are welcome to provide both numbers.



Scan the QR code on the back of this info card, or visit VoteTexas.gov and select "Track My Ballot" to see where your ballot is in the process, and to certify your ID information, if necessary.

TO CHECK THE STATUS OF YOUR (PARA VERIFICAR EL ESTADO DE SU BOLI	TA POR CORREO, VISITE)
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Exhibit 79

Nonstandard Document Submitted to the Court via USB Drive

Exhibit 80

Harris County Elections Recommendations for Ballot by Mail Applications Tips to avoid delays due to new State law

As a result of voting laws passed by Senate Bill 1, new mail ballot requirements have led to an increased number of mail ballot applications flagged for rejection.

The new state law requires voters to provide their Texas driver's license number, Texas ID number, or the last four digits of their social security number.

Failure to provide an exact match on the application to what is on your voter record could result in a rejection of the application, meaning voters will need to return a corrected mail ballot application before the mail ballot application deadline. The deadline to apply to vote by mail in the March Primary Election is February 18, 2022.

Below are some helpful voter tips to avoid delays in successfully processing a voter's application in time for the March Primary. Additionally, here is an instructional video available for download.

- Call Harris County Elections at 713-755-6965. The voter services team is dedicated to walking voters through the process of filling out applications. There are operators who are fluent in English, Spanish, Vietnamese, and Chinese.
- **Provide both forms of ID.** Even though the form only asks for one, the best way to ensure an application isn't rejected is to provide both a Texas ID and the last four digits of your Social Security number.
- Provide a contact email or phone number on your application so our team can immediately reach out and address any issues with the application to minimize potential delays.

In addition to filling out the new identification requirements, voters are required to select a political party in order to vote in the March Primary Election and Runoff Election. If they select "Annual Application: Send me a ballot for all elections in this voting year", voters also must select either "March 1st Democratic Primary and Runoff" or "March 1st Republican Primary and Runoff" in the options to the right.

For more information, including sample ballots and polling locations, visit <u>HarrisVotes.com</u> in the coming weeks and follow @HarrisVotes on Twitter, Facebook, and Instagram. Call Harris County Elections at 713-755-6965.

Exhibit 81



This Post Election Report includes an overview of the Election Administrator Office's (EAO) planning and execution of the November 8, 2022, General Election including Early Voting and Election Day operations, media and community outreach activities, Election Day operations, election night tabulation, and a post-election day analysis from election judges, election workers, and senior EAO staff. The Report is organized into the following areas: (1) Election Data Highlights; (2) Election Planning and Outreach; (3) Election Preparation; (4) Early Voting Operations; (5) Election Day Operations and Performance; (6) Election Night Tabulation and Post-Election Activities; and (7) Proposed EAO Actions. The Report will assist the EAO to improve processes and procedures for future elections, related to Communication systems, Voting system operations, Personnel resources for the EAO, and Vote Center deployment.

Methodology of Election Day Evaluation

The post-election review began with EAO staff conducting post assessment discussions with each of its seven election vendors who provided technical support during Early Voting and on Election Day. EAO staff also spoke with 774 Presiding Judges (PJs) and 727 Alternate Judges (AJs) that served on Election Day. The EAO staff was unable to gather information from all PJs and AJs because several judges advised EAO staff that they were instructed not to talk with the EAO staff about Election Day operations, including ballot paper due to the District Attorney's announced criminal investigation, litigation brought by the Harris County Republican Party, and pending election contests.

The EAO normally submits an election survey to all judges and clerks seeking feedback on the election process, and potential training and curriculum topics for future elections. However, in the interest of confirming and better understanding certain events and problems reported in the media on Election Day, and after, (including paper ballot issues and opening and closing problems) the EAO recruitment staff expedited its post-election assessment.

EAO staff reviewed election operations and discussed, internally, what worked well and what needed to be improved and reviewed election data pertaining to the General Election. Through an expedited evaluation process, the EAO has created this preliminary report of successes and challenges for review and implementation for the next election cycle. Standard practice would require the EAO to take approximately 90-120 days to compile a final report of this magnitude; however, given the level of stakeholder interest and inquiry, the EAO believed it important to provide its preliminary observations as quickly as possible without jeopardizing the integrity of the data and the process. As we know in the elections profession, speed does not always equate to accuracy. The EAO will update this report as more information is gained from its continued effort to improve the processes. Based on the EAO's preliminary analysis, we provide the following assessment beginning with election data and proceeding according to the report organization listed above.



I. Election Data Highlights

(1) The total number of votes cast, presented by ballot type (including Limited Ballots¹):

Early Voting Ballots counted including 636 limited ballots	692,748
Election Day Ballots counted	349,045
Mail Ballots counted	61,264
Provisional Ballots counted	4,333
Total Ballots counted	1,107,390

Mail Ballot Data

Mail Ballots sent	81,064
Mail Ballots returned by voter	64,259
Mail Ballots surrendered	5,786
Mail Ballots not returned	7,843
Mail Ballots not countable	3,176

Provisional Ballot Data

Type	Accepted	Rejected
Early Voting Provisionals	1,809	226
Election Day Provisionals	525	1,261
#5 Provisionals*	2,204 ²	277
Totals	4,538	1,764

^{*# 5} Provisionals are Provisional Ballots cast during extended voting hours. The #5 totals did not change any election contest results from a winning candidate to a losing candidate.

- (2) The number of voters registered as of December 14, 2022 = 2,583,642
 - (A) more than 30 days preceding the election; as of October 3, 2022 = 2,558,844
 - (B) Statement of Residency (SORs) during Early Voting (EV); Total EV SOR's = 20,791
 - (C) SORs on Election Day (ED); Total ED SOR's = 23,035

¹ Limited Ballots are ballots that are cast by eligible voters who moved into Harris County from another Texas Count, but are only able to vote on certain contests because they did not get registered in Harris County prior to the registration cutoff deadline.

² 205 of the #5 Provisional Ballot envelopes did not contain ballots.



- (3) The number of election workers by Vote Center; See Attachment 1 "EV Allocations 1122" and Attachment 2 "ED Allocations 1122".
- (4) The list of Early Vote Centers; See Attachment 3 "List of Early Vote Centers 1122".
- (5) The list of Election Day Vote Centers; See Attachment 4 "List of Election Day Vote Centers 1122.
- (6) Allocation of Voting Machines per Vote Center for Early Voting and Election Day; See Attachment 1 and 2.
- (7) EV and ED Vote Center locations for November 8 General Election. Final approval by the Commissioners' Court occurred on 10/11

EV Locations (99)

CC1 @ 29 Locations

CC2 @ 25 Locations

CC3 @ 24 Locations

CC4 @ 21 Locations

ED Locations (782)

CC1 @ 227 Locations

CC2 @ 204 Locations

CC3 @ 190 Locations

CC4 @ 161 Locations

II. Election Planning and Outreach

- A. Public Awareness. On July 1, immediately following the two June elections, the EAO outreach and communications began organic efforts to raise public awareness about the November 8 General Election. Every potential voter touchpoint, from the website to the call center to voter registration drives and community meetings, was used as an opportunity to prominently remind voters of upcoming dates and important information surrounding voting in Harris County. The EAO developed messaging and strategies based on voting trends observed from previous elections and created additional messaging based on real-time information gathered from the EAO ballot building team and call center (i.e. two-page long ballots, postage requirements).
- **B.** Public Outreach. The EAO deployed the following resources in support of voter engagement and communication directly and through media efforts:

Professional Firm – KGB Texas Communications, a media and communications firm assisted the EAO communications team in driving awareness among Harris County residents on key dates associated with the November 2022 election, and educating the public on election-related information (i.e. mail ballots, new



voting machines, polling locations). The media and communication efforts ran from October 12, 2022 through November 8, 2022.

Overall, the media efforts delivered 77 million impressions across broadcast television and radio, digital media, print, and outdoor media. Radio garnered the highest amount of impressions at 26 million, followed by television and digital outlets with 21 million and 20 million respectively. Election Ads were run in English, Spanish, Vietnamese and Chinese, and a budget was allocated to minority publications and stations. Originally, KGB Communications planned 70,482,120 impressions for this campaign. At the end of the cycle, 77,036,058 impressions were delivered.

Social Media- Social media posts were developed to highlight and inform voters of important dates and materials such as ID requirements, EVC and VC locations, "frequently asked questions", postage requirements for mail ballot envelopes, identification numbers needed on mail ballots, and the importance of preparing a sample ballot to expedite the in-person voting process.

With paid Ad campaigns on Facebook and Instagram, the office achieved 68,000 clicks and sustained a 2.27% click through rate in the 13-days that Ads were running.

C. Community Engagement Events- From the start of July through the voter registration deadline (October 11), the voter outreach team collected 8,889 voter registration forms at 703 events across the county. The following is a breakdown of these events based on where they were held:

- Faith-based centers- 64
- High schools- 134
- Colleges- 172
- Community- 268
- Festivals- 65

At each of these events, team members also provided flyers with important information about the November 8 election, answered voters' questions, and showed them how to navigate the website for information.

From July 1 through October 31, four members of the communications team hosted 30 stakeholder meetings in English, Spanish, Vietnamese, and Chinese, where important deadlines and resources for the upcoming election were discussed, voting machines programmed with a sample election were brought in for hands-on learning, and attendees were encouraged to ask their elections questions. In addition, organizations were able to request machine demonstrations in any of the four languages offered. Five team members participated in approximately 140 information sessions, where voters could ask questions and get hands-on interaction with the voting machines.

Organizations that requested information sessions and machine demonstrations include:

- African American Health Coalition
- AHEPA 29-III Apartments
- Alpha Kappa Alpha
- Anointed Faith Baptist Church



- Asian American Voting Alliance
- Avenue CDC
- Barrett Station Civic League
- Bay Area Association of Democratic Women
- Belfort Church of Christ
- Boat People SOS
- Bonding Against Adversity
- Brazos Towers Senior Living
- Chinese Civic Center
- Chinese Community Center
- Congregation Emanuel
- Culture Center of Taipei
- Crestmont Park Civic Park Alliance
- Cypress-Fairbanks ISD
- EMGAGE
- Equality Texas
- Grace International Church
- Harris County Attorney's Office
- Harris County Clerk's Office
- Harris County Public Library
- Harris County Transit
- HOPE Clinic
- Houston 80-20 Asian-American Political Action Committee
- Houston Association of Realtors
- Houston Association of Retired Teachers
- Houston Area Urban League
- Houston Community College
- Houston Heights Women's Club
- Houston Hong Kongers
- Houston In Action
- Houston ISD
- Houston LGBTQ+ Political Caucus
- Houston White Cane Safety Day
- Korean Senior Center
- La Vang Catholic Church
- League of Women Voters
- Memorial Hermann Southwest Hospital
- Mi Familia Vota
- Montrose Center
- Northwest Vietnamese Church
- OCA- Asian Pacific American Advocates Greater Houston Chapter
- Our Lady of Lourdes Catholic Church
- Point/Counterpoint Senior Group
- Precinct 1



- Precinct 2
- Pure Justice
- Resurrection Metropolitan Community Church
- Sunnyside Park Civic Center
- Taiwanese Community Center
- Texas Southern University
- The Metropolitan Organization of Houston
- Trinity United Methodist Church
- Turkish Raindrop Foundation
- Unity Church
- United Trinity Methodist Church
- University of Houston
- University of Houston Downtown
- Vietnamese Martyr Church
- VN Day Care Center
- West Houston Democrats
- West U Democrats
- Wheeler Avenue Baptist Church

Note: Some groups requested multiple sessions to accommodate different languages or locations (i.e. AHEPA 29-III Apartments requested presentations in English, Spanish, Vietnamese and Chinese; multiple high schools in Cypress-Fairbanks had machine demonstrations).

D. *Media Relations* - The EAO communications team developed digital toolkits and media pages, which included important dates, FAQs, as well as B-roll (Media clips), videos and photography produced in house by the EAO team. These toolkits were shared with Advocacy groups, media outlets and the political parties. (Digital toolkit: https://www.dropbox.com/sh/tfdoc891df3mo6i/AACiFkmG4zpDkl9omr5cxe4pa?dl=0)

Additionally, on October 13, the EAO hosted an Open House for all members of the media, as well as key stakeholder groups and Harris County officials. The purpose of the Open House was to provide critical transparency into the election night process, specifically detailing how ballots are processed and the security measures in place. This was the first time the EAO had offered an inside look and detailed explanation of its process. (Overview of Open House talking points: https://www.harrisvotes.com/Voter/Ballot-Processing)

On October 21, the EAO also hosted a Media Town Hall event for reporters specifically assigned to cover the November 8 election. This was an opportunity to revisit information shared during the Open House, as well as answer logistical questions regarding media access, points of contact, and visibility during election night.

- **E.** *Website* This year, the EAO rebranded the website (<u>HarrisVotes.com</u>) to provide more transparency and improved user experience ahead of the November 8 Election. The website experienced the following traffic:
 - 45-days before Election Day (September 24): 8,297 page views with 1,922 users averaging 3.58 pages/session in 2,318 sessions



- Combined 12-Days of Early Voting: 2,611,384 page views with 554,614 users averaging 3.07 pages/session in 849,792 sessions
- Election Day (day after included to account for Election Results viewing): 1,728,179 page views with 349,106 users averaging 3.36 pages/session in 514,215 sessions

F. Improvements to the Planning Process

The EAO will take the following actions to improve its Election Day Planning Operations for future elections:

- Establish working advisory groups to provide feedback regarding General Election operations
- Evaluate election data gathered during the General Election to strengthen training and develop future voter education activities
- Implement new quality control systems with additional checks and balances to ensure external communications and publications are timely and accurate

III. Election Preparations

For Election Day planning, staffing and resource allocations, EAO staff estimated voter turnout to be approximately 65% of registered voters. These projections were based on data and actual voter turnout statistics from prior General Elections (dating back to 2014), comparing like contests, recent voting trends, changing demographics, and precinct realignments. EAO staff used the projected turnout numbers as a baseline for deploying Vote Center locations, voting equipment, supplies, ballot paper, ePollbooks, and election workers for Early Voting Centers (EVCs) and Election Day Vote Centers (VCs). EAO staff projected voter turnout to be approximately 1.2 million voters with 75% of that turnout during Early Voting and the remaining turnout on Election Day.

The EAO deployed the following equipment to both the EVCs and VCs:

- Hart InterCivic Controller Device used to create a ballot access code that allows the voter to start the voting session of the Duo Ballot Marking Device (defined below)
- Duo—Ballot Marking Device that displays the election contest and questions on a touch screen that allows each voter to select a candidate in each contest or vote for or against a ballot measure in the election. This marking device prints a record of the votes cast to be deposited into the Scan (defined below) for counting
- Duo-Go— A mobile apparatus that allows election workers the ability to take a Duo to a curbside voter, thus allowing a voter to cast a ballot from their automobile
- Scan A ballot tabulation device that images each ballot and collects the votes cast on each ballot for tabulation purposes
- Content Active ePollbook Electronic Pollbook that allows election workers to check-in a voter at the EVC or VC, which assist the election worker in providing the voter with the correct ballot style based on the address where they are registered to vote



A. Early Voting and Election Day Supplies & Signage

EAO staff revised many VC signs and forms for Early Voting and Election Day to improve visibility and legibility as well as to streamline the election reporting for election workers to complete election night reporting³.

The EAO staff introduced a barcode labeling system to pack supply boxes for each VC. This barcoding system was used to track supply boxes and materials delivered to each VC. The barcoding system assisted the EAO staff to confirm and validate that each EVC and VC received the correct equipment and the correct supplies.

As supply boxes were packed at the warehouse, a verification system confirmed that all requested/scheduled supplies were included in each supply bin. The barcoding system and verification system were effective in helping ensure that supply inventories were accurate and EVCs and VCs received all scheduled items.

B. Facilities

The EAO strives to ensure every EVC and VC used in the county meets the following criteria:

- accessible
- adequate space for voting equipment and election workers on Election Day
- adequate parking
- proper electrical capabilities
- availability for election workers to set up on the Monday before Election Day
- available on Election Day from 6:00am until at least 10:00pm
- availability for the equipment to remain securely onsite until pickup

Location Selection

In most cases, the EAO selected locations utilized in previous elections. For this election, several locations were relocated because of unavailability or because of ADA accessibility issues. When a facility is unavailable, EAO staff relocates the VC to another facility only after an ADA assessment is conducted to ensure the new location is compliant and can support the election activities. EAO staff collaborated with Commissioner Court staff, political party representatives, and Precinct Chairs to identify and secure adequate locations that would support and accommodate the projected voter turnout.

The overall location selection process involves the following:

- 1. Identify the quantity of locations needed for the election
- 2. Review the most current list of locations used from last like elections⁴

³ All signage and forms used at VCs are approved by the Texas Secretary of State.

⁴ Locations were used from 2021 and 2020 as a result of the implementation of county wide voting.



- 3. Place locations onto a map to view general coverage
- 4. Layer onto map the voting location areas identified by the nonpartisan Center for Inclusive Democracy to identify areas of greatest need.⁵ This tool evaluates data such as citizen age, registered voters, in-person voters, by mail voters, voter turnout, voter demographic, population with vehicle access and population density, including total registered voters to determine areas that have greatest needs for voting locations.
- 5. Identify the following items necessary to have a location useable in an election
 - a. Availability
 - b. ADA status (Compliant, Non-Compliant Remediable, Non-Compliant Non-Remediable)
 - c. Cost
 - d. Other accessibility (i.e. electricity, parking, restroom access)
- 6. Define locations on the map by their availability and ADA status
 - a. Where locations were unavailable, identify a nearby location that could serve the area.
 - b. Where locations and nearby locations were both unavailable to serve the area, those locations were shared with stakeholders⁶ to assist with asking locations to become available.
- 7. Identify locations within .5 miles of each other to determine if both locations were needed for the area. This is done when there is a surplus of possible locations that could be used to get to the target number of locations identified by EAO as would be needed for the election.
- 8. When location list reached the target number, shared list with stakeholders to review and incorporate feedback to favor historical facilities⁷, ADA-compliant facilities (based on status) and facilities requested by multiple stakeholders.
- 9. After review by stakeholders and considering all stakeholder feedback, locations list was submitted to Department of Justice (DOJ) for review and submitted to Commissioners Court for approval.
- 10. Periodic changes occurred based on new information such as stakeholder requests that could be accommodated, location availability, updated ADA inspections or DOJ comments.

Facility Check List ADA Compliance

As a result of a DOJ settlement agreement regarding accessibility of locations the EAO staff works with DOJ coordinators, subject matter experts and ADA survey coordinators to assess and diagram accessibility remediation for all locations. The diagrams depict entrances and exits, room dimensions, electrical outlets, the proposed positioning of voting equipment, and suggested election worker stations that facilitate traffic flow and privacy. The ADA survey coordinators conducted a site survey⁸ for each of the 782 VCs and deployed remediation where necessary.

⁵ https://tx.cidsitingtool.org/county.html?county=201.

⁶ Commissioner Court staff and Political Party representatives

⁷ Long standing neighborhood facilities.

⁸ The ADA surveys are too voluminous to attach but can be made available upon request.



C. Election Worker Recruitment, Training and Staffing

Staffing Goals. EAO staff estimated that approximately 6,500 workers would be required for the General Election. The table below provides a breakdown of election worker positions per VC, the total number of workers assigned, and a brief job description for each position.

D '/'	D V/C	TD 4 1	TID ''
Position	Per VC	Total	Job Description
Presiding Judge (PJ)	1	782	Oversees all voting procedures at the VC; they are
			responsible for ensuring Election Law is followed,
			the voting process is safe and secure, and peace is
			kept in the VC.
Alternate Judge (AJ)	1	782	Can serve in the same capacity as the PJ; takes
			over full responsibility of the VC in the absence of
			the PJ; serves as Clerk when PJ is present; works
			closely with the PJ for accountability on reporting
			and countersigns election documents.
Qualifying Clerk	1 or more	782	Clerk assigned to the Qualifying Table (Voter
, ,			Check-in). They operate the ePollBook and
			Controller. They process voters accurately and
			efficiently.
Ballot Clerk	1 or more	782	The critical role of the Ballot Box Clerk is to
201100 010111		, 52	ensure voters do not leave the VC before casting
			their ballot in the Scan. If they leave without doing
			so, their vote will not be counted.
Greeter	1 or more	782	The first election worker a voter will encounter.
Greeter	1 of more	702	They are friendly, welcoming individuals who
			monitor those waiting in line to vote, ensures the
			100-ft line is secure, and monitors the parking lot
			for curbside voters.
Curbside Clerk	1 or more	782	Clerk designated by the PJ to conduct Curbside
Curoside Clerk	1 of filore	782	Voting when required. This includes: qualifying
			voter, preparing the Duo-Go with either the PJ or
			AJ, then returning to the voter with an "I Voted"
			sticker and letting them know their ballot was successfully cast.
Additional Clerks to		806	successiumy cast.
Help as Needed			
Total	6-8	5,498	



Staffing Process. The Texas Election Code (TEC) prescribes the process for appointing Election Day judges. Election Day PJs and AJs are nominated by Party Chairs and appointed by the Commissioners Court. Parties submit a list of names of persons in order of preference for each precinct who are eligible to serve as a PJ. The EAO places judges appointed by Commissioners Court into VCs. The EAO staff considers the following criteria when assigning PJs to VCs: (1) where they have previous work history, (2) whether the Precinct Chair of the precinct in which the VC is located is willing to work at the location, and (3) if historical or precinct chair judges are available or unavailable. The EAO consulted with the Parties to coordinate where the Parties' respective PJs would serve in relation to party designated precincts. The EAO encouraged the Parties to submit more names than they initially submitted because, nominated Judges were unable or not willing to work on Election Day. Once the EAO exhausted the names of the Party nominees, EAO staff began placing judges on a first available basis to ensure all locations were staffed with a PJ and AJ. Staffing numbers for clerks vary per VC based on projected voter turnout and averaged between 5-7 clerks for each VC.

Election Worker Training. All election workers, including PJs, AJs and clerks are required to attend a four (4) hour training session in order to work the election.

A new Training Manager revamped the training program and brought on adult educators who were trained as effective elections instructors. The EAO employed over 33 temporary instructors to assist two full-time team instructors to improve materials, recreate a training manual, and conduct training events. The EAO training team revamped the training curriculum to increase the hands-on training aspects to ensure workers could set up and operate the voting machines. The curriculum also provided for more hands-on training with the forms and processes.

New Training Manual

The new Training Manual included a revised color-coded format that identified the sections of the manual for each task to be completed. The manual was provided in a bound format and given to every election worker. A copy of the manual was also made available on the EAO website and can be accessed at the following link:

https://files.harrisvotes.com/harrisvotes/prd/docs/Training/Official Manual 2022 to 2023.pdf

New Class Structure

The EAO training staff deployed a new class format that allowed for greater training efficiencies for the election workers. The trainers addressed broad talking points with the whole group and then separated the election workers into small breakout groups for approximately three hours, where election workers were provided hands-on instruction on equipment, set-up and forms. This structure allowed for a more engaged learning environment.

Training classes began on September 26 and ended on November 7. EAO trainers conducted a total of 74 classes. The following facilities were utilized for training:

-

⁹ TEC Sec. 85.009.

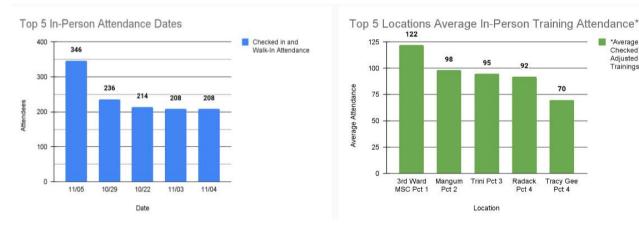


Barbara Jordan Community Center Bay Area Community Center **Bayland Community Center** Big Stone Lodge Bridgestone MUD Chinese Community Center Clear Lake Islamic Center Deussen Park Community Center East Harris County Activity Center El Franco Lee Community Center Felix Baldree Community Center Houston Marriott North Julia C Hester House Community Center Lone Star College (CyFair) Lone Star College (Kingwood) Lone Star College (Tomball) Mangum Howell Community Center Northeast Community Center San Jacinto College Central San Jacinto Community Center Steve Radack Community Center Third Ward MultiService Center Tom Bass Senior Center **Tomball Event Center** Tracy Gee Community Center Trini Mendenhall Community Center Weekley Community Center



Locations & Training Sessions by Commissioner's Precinct





Training classes were held Sunday through Saturday and scheduled morning, afternoon, and evening to accommodate workers' schedules. EAO trainers also conducted reminder training at supply pick-up the Saturday and Sunday before Election Day, where judges could ask last-minute questions and get one-on-one time with EAO instructors. Supplemental hands-on training was provided through EAO instructor support hours at four locations around Harris County.

The training included troubleshooting scenarios and situations that election workers were likely to encounter on Election Day and focused primarily on set-up and processing voters. All PJs, AJs and clerks were also provided hands-on training on the election forms.

*Average Attendance Checked in and Walk-In; Adjusted for Number of

Trainings, Minimum of 4



The EAO training team received multiple complimentary communications from election workers. From this correspondence emerged three main themes:

a. The new manual demonstrates informed changes based on feedback and research:

"Several of my friends are also PJs and the other day we talked about the manual over coffee. We are all very impressed. Your hard work is definitely paying off, it seems as though we are closer to a smoother election process. Thank you."

"This is the best training class I have ever attended. The new election manual is amazing! I cannot brag on the improvements enough."

b. The training team is effective and professional:

"They were professional, informative and responsive to all of our questions, input and concerns. I can clearly say this was the best election training class I have ever taken with Harris County."

c. The training program has become more engaging and interactive:

"Much better with delivery focused on key aspects of the process – including hands-on with the set-up, operation and tear-down of the voting equipment. Great to have witnessed the improvements to the equipment and process that address some of the feedback some of us provided over the past few elections. Good to know HC EA staff were listening and took corrective action"

"I have to admit, I hate change. I didn't know what to expect from the new Election Admin. So far, I am impressed."

Proposed Improvements to Training Curriculum

To continue improvements to the training process, the EAO will develop and deploy the following activities for future elections:

- Establish working advisory groups to provide feedback regarding training operations
- Evaluate Election Data gathered during the General Election to strengthen training and develop future voter education activities
- Implement an *Election Worker Evaluation system*. In order to increase election worker efficiencies, the training staff will implement a training and evaluation process to evaluate each prospective election worker's capability to perform the required activities for any given election

This performance evaluation will include: (1) attending a training class specific to the worker's assigned tasks, (2) pass a written test to demonstrate sufficient knowledge to meet the standards for executing a



smooth election, and (3) successfully complete Election Day simulation exercises, demonstrating the ability to complete the tasks required for the position. If a prospective election worker is unable to meet the three requirements, he/she could be disqualified and not recommended for serving during Early Voting or Election Day.

The PJs will be required to demonstrate the ability to operate all voting equipment, including opening and closing on Election Day and the ability to complete critical election VC documents.

IV. Early Voting Operations

Early Voting operations includes Ballot by Mail and In-person voting at EVCs. The EAO located its Early Voting operations to NRG Arena on September 1, 2022. NRG served as and EVC and as Central Count for the General Election. The EAO deployed 99 EVCs from October 24 through November 4. The 99 EVCs were strategically placed throughout the four Commissioner Court precincts to accommodate county-wide voting. As projected, a higher percentage of voters, by almost double the amount, voted early during Early Voting than on Election Day.

A. Ballot by Mail Voting

All Mail Ballots returned by voters were delivered to the NRG Arena and were reviewed and processed by the Signature Verification Committee¹⁰ (SVC) that convened on October 19. The SVC reviewed each returned ballot envelope (carrier envelope) to ensure the signature and voter ID provided by the voter on the carrier envelope matched the voter's profile. Once signatures were approved and ID numbers validated, the SVC authorized the carrier envelopes to be prepared for opening and the ballots were prepared for counting.

The Early Voting Ballot Board¹¹ (EVBB) convened on October 26 to open ballots and prepare for counting. If any ballots were placed under review status by the SVC because they could not validate a signature or the voter did not provide a matching ID number, the EVBB either accepted or rejected the ballot. If the voter provided the correct information, the EVBB would approve the ballot for counting.

As part of the process, if a voter did not provide the correct voter ID on the carrier envelope, the carrier envelope was returned to the voter for correction as required by Senate Bill 1. (These Mail Ballots are referred to as E3s.) If the Mail Ballot was received too late to return to the voter, the voter was contacted and given an opportunity to cure the Mail Ballot by coming to the Central Count location to provide the information or curing by providing their information via the Texas Secretary of State website. (These types of Mail Ballots are referred to as E7s.) If the voter did not return the carrier envelope with the correct

¹⁰ Each Party appointed 25 members to the SVC.

¹¹ Members of the SVC served on the EVBB.



information or did not cure the Mail Ballot with the necessary information the E3s and E7s were ultimately rejected by the EVBB.

The Central Count Ballot Board¹² (Ballot Board) convened on Saturday, November 5, the day after Early Voting ended. Once the Ballot Board convened, the EAO began processing Early Voting results for reporting on Election Night.

The EAO processed over 80,000 Mail Ballot applications as reflected in the table below.

Applications	Accepted	Rejected
Domestic	78,051	2,778
UOCAVA ¹³	3,015	237
Total	81,066	3,015

The EAO processed over 80,000 Mail Ballots as reflected in the table below.

Ballot	Ballots	Mail	Voted	Voted	Ballots
Type	Mailed/emailed	Ballots	Ballots	Ballots	Counted
		Received	Accepted	Rejected	
Domestic	78049	62394	59759	2635	59544
UOCAVA	3015	1780	1750	30	1720
Totals	81064	64259*	61509	2665**	61264

^{*}Includes 85 Late Ballots received but not counted.

1. Mail Ballot Problems Encountered

The EAO contracted with Runbeck Services to mail ballots to over 80,000 voters. Based on ballot size and number of pages, Runbeck determined that it could not process the ballot insertion for the 4-page 11x17 ballot. As a result of this discovery, Runbeck and the EAO agreed to subcontract the mail ballot work out to a second vendor (K&H) to prepare and mail the ballots.

During the mail ballot period, the EAO received reports that voters were not receiving Mail Ballots and that voters were being charged extra postage because of the size of the carrier envelope. The EAO was able to utilize K&H's mail ballot tracking system to see ballots moving through the United States Postal Service (USPS) system. The EAO staff was able to provide USPS with zip code data to evaluate delivery patterns within Harris County and to identify where Mail Ballots may not have been moving through the USPS system. The EAO spoke with USPS staff on a weekly basis about Mail Ballot delivery, return scanning, and postage cost.

¹³ The Uniformed and Overseas Citizens Absentee Voting Act (Military and Overseas Voters)

^{**}Includes E3 and E7 Rejects (E3-411, E7-2,118)

¹² Each Political Party appointed 25 Members to the Ballot Board.



2. Process Improvement Actions:

- The EAO will continue conversations with the USPS to identify postal system practices that might have caused delivery problems with Mail Ballots
- The EAO will be able to forecast the ballot size specifications for future elections
- The EAO will continue Agilis and Vote-Tec system reviews to streamline carrier imaging and processing to allow for more efficient processing by the SVC

B. In-Person Early Voting Operations

As part of Early Voting, the EAO delivers voting equipment and materials to each EVC during the week and weekend before Early Voting begins. Early Voting set-up proceeded according to plan. Ninety-Eight EVCs were set up and prepared to operate the Sunday before Early Voting began on Monday, October 24. The final location completed setting up early on Monday morning in time for the start of Early Voting.

- 1. *Early Voting Center Equipment.* Each EVC was supplied with an allocation of voting equipment based on population density and projected turnout in each Commissioner Precinct. Each location received an allotment of (1) ePollbooks (2) Controllers, (3) Duo Ballot Marking Devices (4) Scanners and (5) Duo Go.
- 2. *Early Voting Center Staffing*. EVCs were staffed with a PJ and an AJ (consisting of alternate party affiliation) and clerks were assigned in two shifts of temporary election workers. See Early Voting Staffing 1122 Attachment that identifies the number of workers assigned to each location. 1,591 EVC workers were trained and deployed to work during Early Voting. Approximately 30% of these individuals also worked on Election Day.

3. Early Voting Turnout.

	2018	2022
Early Voting Total Votes Cast	767,162	693,122
Total Registered Voters	2,307,654	2,543,162

4. *Wait Time Reporter*. Election workers were instructed to submit wait times to the online wait time application. The wait times listed on the interactive map on HarrisVotes.com is intended to provide real-time wait times for each EVC.

5. Early Voting Equipment Operations.

During Early Voting, EVCs experienced common problems associated with staffing, technical support, equipment operations and wait time updates. ¹⁴ The technical problems were related to Controller Not Found issues, which had a direct impact on Duos. EAO technicians were dispatched throughout the Early Voting period to address technical issues encountered and to ensure voting continued throughout the Early Voting

¹⁴ These are common issues experienced in every jurisdiction throughout Texas and nationwide.



period. The EVCs also experienced paper ballot jams when the voter was feeding the blank paper into the Duo. On certain occasions, a voter's ballot would jam at the Duo and would have to be spoiled and reprinted. On certain occasions, the ballot would not scan into the scan. To resolve these types of problems, the PJs were instructed to spoil the ballot¹⁵ and reprint the ballot if the voter had not left the Duo. If the voter had left the Duo and the ballot would not read because it was illegible, the PJ was instructed to reissue a ballot to the voter to allow the voter to cast their ballot at the VC. A voter could also deposit the unreadable ballot into the emergency slot¹⁶, which meant the ballot would be transported to the Ballot Board to be duplicated by the Ballot Board and counted, if possible. If the ballot is re-voted by the Voter and read through the scan, then the voter is assured that the ballot was counted; if the ballot was inserted into the emergency slot in an unreadable status, the voter is not assured that the ballot will be counted.

V. Election Day Operations and Performance

Overall, Election Day was a success with 782 VCs assigned, set-up and operational. Over 1 million voters turning out to vote for the entire election. The EAO projected 1.2 million voters. The EAO identified and deployed voting machines, VCs and election staff/election workers to support that projection.

- 1. *Election Day Vote Center Equipment*. Each VC was supplied with an allocation of voting equipment based on population density and projected turnout in each Commissioner Precinct. Each location received an allotment of (1) ePollbooks (2) Controllers (3) Duo Ballot Marking Devices (4) Scan and (5) Duo Go.
- 2. *Election Day Vote Center Staffing.* The EAO's office successfully trained and assigned a PJ and AJ to all 782 Election Day VCs. The nomination and appointment process is similar to the process described in early voting staffing, except that Election Day assignments are governed by TEC Section 32.002. The PJs and AJs are nominated by the Political Party Chairs and submitted to the Commissioners' Court for approval/appointment. The PJs and AJs were assigned according to Party designations until an emergency appointment period, which then allowed the EAO to assign PJs on a first available basis to cover any gaps in appointment. Despite the emergency appointment period, the EAO staff continued to coordinate with the parties to indicate where the parties would like their PJs to serve within a VC. The EAO encouraged the Parties to submit more names than they initially submitted because, nominated Judges were unable or not willing to work on Election Day. Once the EAO exhausted the names of the Party nominees, EAO staff began placing judges on a first available basis to ensure all locations were staffed.

Overall, the EAO trained over 6,024 judges and clerks and deployed 5,498 – that is 91.3% who showed up to work.

¹⁵ A ballot is spoiled when it is damaged by the printer, re-voted by the voter or unreadable by the Scan because of illegibility.

¹⁶ A depository for unreadable ballots.



3. Election Day Voter Turnout.

	2018	2022
Election Day Total Votes Cast	354,000	349,045
Total Registered Voters	2,307,654	2,543,162

4. *Wait Time Reporter*. During Election Day, students are dispatched to each VC as Electronic Support Specialists (ESS). Their primary function is to monitor the wait times and provide periodic updates of the quantity of people in line. This process provides real time wait times for each VC.

A. Facilities and Vote Center Opening

As part of the Election Day set up process for Election Day delivery, the EAO delivers voting equipment and materials to each VC the week and weekend before Election Day. The November 8, Monday setup for Election Day voting did not proceed according to plan for 170 VCs because of the celebratory World Series Parade. Several ISD's gave their staff the Monday off to participate in the parade. As a result, the PJs at those locations had to reschedule set up for Monday evening/night as opposed to Monday morning and for some locations set up occurred on Tuesday morning. This resulted in reports from several election judges that they were delayed in opening at 7:00am due to limited time to setup on Election Day.

B. Election Day Support

1. *Election Help Desk*. The EAO operates a 50 person Help Desk "Call Center" to receive calls from election workers regarding any manner of support. The Help Desk contacts tech rovers and area representatives when an issue could not be resolved over the phone. The Help Desk included members of the election worker training team, temporary election workers, technical experts and other EAO staff.

As in past elections, the EAO contracted with a vendor to provide technical support to all Election Day VCs.

2. *Technical Support.* The EAO deployed 160 election technicians (Tier 1) to support PJs on Election Day. This created an average of 1 technician to every 5 Vote Center locations. The 5 locations were mapped within a minimal (5-10 mile radius) geographical region to maximize travel time from one VC to the next. The technicians were directed to travel from one VC to the next on a scheduled basis to check-in with the PJ to ensure everything was working properly and to provide the VC with whatever support was needed, including paper supplies.

If a technician encountered a voting system issue that they could not resolve, the issue was escalated to a Tier 2 technician with a greater skill level to resolve the most complex problems. If a component could not be repaired, it would be replaced by the Tier 2 technician.



The EAO Help Desk received over 1,600 logged calls for VC support related to staffing, equipment support, procedural questions, supplies, and paper ballots.

Of the 1,600 calls, 368 calls, (23%) related to ePollbooks, the Duos, Duo-Gos, Controllers and Scans. 128 calls (8%) related to supplies and ballot paper, and 143 (9%) related to election worker procedural questions.

The EAO staff takes all support ticket calls very seriously regardless of the nature of the call and endeavors to remedy the situation either by telephone support or dispatching a technician to support on site. During the election and after the election we review all support logs from the VCs and look for trends. Once we identify an issue that is occurring at multiple locations or across the County, we discuss with the vendor and identify ways to resolve or correct an issue in real time, if possible or to identify if the matter requires a long-term solution.

3. *Election Day Challenges*. The Common problems reported and encountered on Election Day included VCs not opening on time, technical problems associated with the Controller Not Found, Duo paper ballot jams, ePollbook wait time updates, paper ballot supply at several locations and staffing.

EAO technicians were dispatched throughout Election Day to respond to the support tickets which included assisting PJs in opening VCs, replacing voting equipment, rebooting Controllers, resetting Duo voting equipment, resetting ePollbooks, delivering ballot paper and other supplies.

- a. *VC delayed in Opening*. There were several VCs that did not open on time due various reasons: (1) PJs Captains Box not delivered which contained the keys to the voting equipment (2 hr. delay), (2) PJ closed the election on the Controller before voting began (1 hr. delay), (3) Election workers quitting or not showing up to work, (4) PJs not able to access the facility at 6:00am (30 min delay).
- b. *Ballot Paper Supply*. The EAO received reports that several VCs needed ballot paper delivery during the day. An initial media report indicated that at least 20 VCs ran out of paper.
- c. *ePollbook wait time updates*. During the early part of Election Day, the ePollbook AWS server lost replication which prevented the wait time tool from updating the website, prevented the supply team from seeing real-time check in and disabled the sample ballot look up feature. This had a direct impact on the ability to see how many voters were being checked-in and what the wait times were at any VC. The vendor was able to reestablish replication, which brought the wait time tool and sample ballot back on line and allowed supply to reengage communications at the VCs.

During the post-election assessment, EAO staff reviewed call logs and support tickets to gain an understanding of what occurred on Election Day. The EAO's recruiting and training staff conducted a calling assessment to all PJs and AJs. Although EOA staff was able to speak to most of the PJs and AJs,



many of them provided confusing answers and some declined to speak after reportedly being advised not to do so by the Harris County Republican Party.

The EAO's call logs reflect that the Help Desk received calls from 46 VCs (5.9%) requesting additional paper on Election Day. This does not indicate that these VCs ran out of paper and had turn voters away as a result - only that they required additional paper at some point on Election Day.

The EAO's analysis from the PJ and AJ calls is largely inconclusive due to the fact that several of the PJs and AJs from the same VCs gave conflicting reports on whether the VC actually ran out of paper, and that many responses did not explain whether the VCs had to turn voters away. According to PJ calls, several VCs (68) reported running out of their initial allotment of paper, although most of them (61) received additional deliveries, according to their respective PJs. In addition, 22 AJs for these 68 VCs gave conflicting reports, stating that they did not run out of paper at all. 64 AJs reported that they ran out of their initial allotment of paper, and 58 of those judges reported receiving paper deliveries. Again, 20 of the PJs for the same VCs reported that they did not run out of paper at all.

Our investigation has not yet revealed how many of these VCs had to turn voters away due to a paper shortage. Media reports claimed that a total of 24 VCs (3.1%) ran out of paper and had to turn voters away. However, the judges at the VCs indicated that they did receive supplemental paper deliveries, and two of these PJs from these VCs reported they did not run out of paper at all.

Other supplies such as SORs, signs, and provisional ballot envelopes were also delivered throughout the day.

Overall, while the initial media reports suggested a problem more extensive than what the EAO has been able to confirm, the EAO will continue reviewing the processes and will implement systems to ensure this type of challenge is never encountered in the future.

Poll Closing Analysis

Extended Polling Hours

At 6:00pm on Election Night, the Central Count Tabulation Supervisor was preparing to release Early Voting and Ballot by Mail tabulation results at 7:00pm when a Court Order was entered that required all polling locations to extend operating hours until 8:00pm. Shortly after the Order, EAO staff contacted all locations through the following methods:

- The messaging Console via the ePollbook console The EAO advised every VC about the Order to stay open one additional hour;
- The EAO emailed every PJ and AJ with the details of the Order and instructed all judges that they would need to vote every voter who arrived after 7:00pm with a Provisional Ballot;
- The EAO staff called as many judges as they could reach within the limited time, for a total of 445 calls made; and



• The EAO dispatched staff to deliver provisional balloting materials, SORs and additional ballot paper.

This extension heavily burdened the PJs, AJs, clerks, and EAO staff. As a result of the Order, all voters who entered the line after 7:00pm were required to vote a Provisional Ballot. These Provisional Ballots are referred to as "extended hours" provisional ballots or "#5s". The Order extending hours was later suspended by the Texas Supreme Court, although that Texas Supreme Court Order came after 8:00pm and thus only prevented voters who were in line at that time, but had not yet voted from casting a ballot.

The #5 Provisional Ballots were segregated from the regular Provisional Ballots and per order of the Texas Supreme Court were counted in a segregated manner and their totals were added in during the final Canvas. The Canvas includes a separate report of "extended hours" Provisional Ballots that were cast and counted as a result of the extended voting hours as ordered by the Texas Supreme Court.

Election Night Vote Center Election Returns

The EAO deployed its election returns County driver program for the General Election. As part of the program, the EA advised all PJs that it was their responsibility to deliver the VC election returns to Central Count. The EAO offered a County driver to any PJ that did not want to drive their election returns into Central Count. The PJs were not required to accept a driver, however, they had to notify the EAO staff prior to Election Day, so that staff could ensure the election returns would be timely received at Central Count. The Harris County Republican Party advised that all of their PJs would not participate in the County driver program and would deliver their respective election returns to Central Count, although several of their PJs requested and received a driver.

The EAO staff recruited law enforcement, county employees, PJs, AJs and clerks to deliver election returns to Central Count on Election night. As a result of planning and recruiting, 430 judges delivered their election returns to NRG, and the remainder were transported by the County driving program.

Central Count received the first Election Day returns from the VCs at 8:45pm on election night. The last election returns were received at 3:30am. Eighty-one VCs did not return all the items, i.e., the hard-shell ballot boxes (all ballot bags were returned) and a few different election forms. The EAO deployed Hotshot drivers out the next day to retrieve the items that were left in the equipment cart at the various VCs or in the room with the equipment cart.

VI. Election Night Tabulation and Post-Election Activities

The EAO's goals on election night was to count votes accurately and quickly, and to publish the unofficial preliminary election results in a clear, accurate, and timely manner throughout the tabulation process.

The EAO established the following processes for communicating with the public and the media: (1) it operated a media observation section to allow all reporters to observe the election night tabulation process (2) it provided hard copies of each summary report to the media and any Poll watcher waiting to see the results (3) it displayed the election results on the website using an election night reporting tool and (4) its



Public Information Officer and the Administrator interacted with the media throughout the tabulation process.

Preliminary Reconciliation Form

At the completion of tabulating Election Day returns, the Ballot Board and the EAO published the 1st Preliminary Election Reconciliation – Unofficial Totals form (dated 11/10/22), which provides a snap-shot of election records at the end of election night. This is an early unofficial report of the number of voters and the number of ballots tallied for the November 8, election. However, this report is not an accurate reflection of voter turnout and ballots counted because it does not include information related to the number of ballots the Board is still processing related to emergency slot ballots, timely received Mail Ballots in the possession of the Ballot Board, Mail Ballots that are still in the USPS system that are postmarked on Election Day and that can arrive by 5:00pm the next day.¹⁷ Additionally, the Preliminary Election Reconciliation form does not take into account the number of Limited Ballot Voters, a complete reconciliation of the voters who checked in on the ePollbook system, the list of omitted voters, and a complete reconciliation of Mail Ballots received, accepted and rejected.

The day after election night, EAO staff and the Central Count Ballot Board continued processing election returns, including Provisional Ballots, Mail Ballots¹⁸ and emergency slot ballots that were received on Election Day. At the end of the 24-hour tabulation period, the EAO sought an extension of the 24-hour tabulation period in order to process the remaining Mail Ballots that were received on Election Day. The District Court issued an Order to extend the 24-hour period for a day. The Ballot Board completed processing the mail ballots the next day.

Election Reconciliation - Official Totals Form

The Ballot Board and Voter Registrar continued processing Provisional Ballots until November 18¹⁹, after which the Ballot Board and the EAO published the second reconciliation form dated November 18, 2022 - Election Reconciliation Form - Official Totals. Again, this is a snapshot in time of the reconciliation process; the complete Canvass is required to be submit to the Secretary of State no later than November 22, 2022²⁰. Section 6 of the November 18 Reconciliation Form included miscalculations between the number of Mail Ballots mailed out compared to the number of ballots counted in Section 3, Box K.

After the Ballot Board completed its activities on November 18, 2022, the EAO recognized the error, but did not try to reconvene the Ballot Board because the complete canvass would be submitted to the Secretary of State by November 22, 2022.

The EAO has communicated Election results to the Secretary of State in the Harris County Canvass Reconciliation Comparison Report. The EAO does not believe the Reconciliation Form as designed

¹⁷ TEC Sec. 86.007

¹⁸ TEC Sec 86.007

¹⁹ TEC 65.051

²⁰ TEC Sec. 67.001



provides an accurate accounting of voters, ballots and vote tallies because it is not designed to account for all the various counting processes that occur during the Canvass. As an example, the ballot totals do not include Orphan ballots. (An Orphan Ballot is a Mail Ballot that is returned in a voter's Mail Ballot envelope that is missing the 1st page.) In some instances, spouses or voters in the same household mix up their ballot pages, thus creating orphan pages that are counted separately. The Ballot Board counts the votes, but these ballot pages are not reflected in the ballot counted column. Additionally, voters who mail their Mail Ballot carrier envelope back without a ballot inside get credit for voting, but there is no ballot to count, thus the voter to ballot count does not match. In other instances, voters leave the EVC and VC with their ballot in their possession, thus there is a voter history for the voter on the ePollbook or on the Omissions list, but no ballot to count, and voters check in at the Vote Center with no intention of casting a ballot, but simply want credit for voting.

These type of voting patterns are not captured on the Reconciliation Form, so the form very seldom reconciles to an accurate voter to ballot ratio.

After completing the Canvass, the EAO staff immediately turned to the Partial Manual Count.

Partial Manual Count

After each election, the EAO is required to conduct a Partial Manual Count²¹ ("PMC"), which is a hand count of designated precincts and ballot contests from the Secretary of State. The EAO must begin the PMC no later than 72 hours after Election Day and must complete the count within 21 days of its beginning. Due to Harris County's size and volume of ballots, multiple departments are required to assist in completion of the PMC.

For county wide elections, a minimum of 70 staff members are required on site. These staff members worked on multiple ballot bags in order to complete the PMC in time before the 21-day deadline. The EAO staff was unable to begin the process until Nov 14 due to Veterans Day Holiday and SOS technical difficulties. Over 80 EAO staff participated in the PMC from Nov 14- Dec 1, for 12-hrs per day, totaling approximately 168 hours each (not including the Thanksgiving holiday). The PMC was conducted over the course of 20 days. These employees spent an estimated cumulative total of 8,400 man-hours conducting the PMC.

VII. Proposed EAO Actions

Early assessments suggest that operational systems are in immediate need of upgrades or replacements. Initial discussions are focusing on:

• Communications to and from Vote Centers – there is no real time visibility within any call and response situation from the VC to EAO and no real time visibility to determine whether any solution was provided. A real time ticket and resolution system is needed to close the gap on any requests from a EVC or VC;

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²¹ TEC Sec. 127.201



- Voting system set-up and operation must be scrutinized with an eye toward simplifying the set-up and operational processes to ensure early morning set-up and opening can be accomplished;
- Additional full-time personnel to manage the many moving parts of this operation is critical. One time funding is not the answer to this situation; sustained and dedicated administrative funding is imperative;
- Resources to adequately cover 782 VCs throughout 1,700 square miles of the county by temporary technical support without the tools to properly manage them is critical;
- Deploy systems and tools to improve the allocation of resources across VCs;
- Deploy voting system software upgrade that eliminates the Controller not found issue experienced by all 782 VCs;
- Review operational solutions with vendor to address paper jams on the Duo and with the Scan;
- Review AWS system solutions with ePollbook vendor to assure redundant systems to prevent system degradation on Election Day;
- Deploy tracking and communications solution to allow for VC visibility on technical issues and supplies distribution with responses to the technical tickets including those created at VCs.

As additional information becomes available, the EAC will continue to make process improvements and recommendations.

Attachment 1 Early Voting Equipment Allocations - 1122

ED Poll Code	EV Identifier	EV	,	сс	Location	Duos	Controllers	EV Scans	ED Scans (For EV Locations)	DuoGo	Initial Ballot Paper Packet	Adjusted Ballot Paper Packets	ED Clerk Allocation
11033	SRD138M SRD139A		,	-	Holiday Inn Express & Suites Houston Memorial - City Centre Acres Homes Multi Service Center	28 28	4	2	1	1	37	74	7
11037 11045	SRD139A SRD148F	EV EV		3	Fairfield Inn and Suites Houston NW Willowbrook	24	3	2	1	2 1	82 30	165 61	8 7
11061	SRD141C	EΛ		1	Northeast Multi-Service Center	20	3	2	1	4	37	74	7
11067 11091	SRD148H SRD148B	E۷		4	The Grand Tuscany Hotel	24	3	2	1	1	32 28	65 56	8
11107	SRD148B SRD132K	ΕV		4	Sheraton Houston Brookhollow Hotel Katy Branch Harris County Public Library	24	3	2	1	1	37	74	8
11122	SRD130C	E٧	′	3	Juergens Hall Community Center	34	5	2	2	3	37	74	6
11123 11137	SRD146T	E۷		1	NRG Arena	20	3	2	1	1	37 19	74 38	7
11137	SRD132C SRD139V	ΕV	_	1	Hockley Community Center Lone Star College Victory Center	26 20	3	2	1	1	62	124	8
11168	SRD138J	E٧	_	3	John Knox Presbyterian Church	28	4	2	1	1	37	74	8
21013	SRD130M SRD126M	ΕV	_	3	Samuel Matthews Park Community Center Masjid AlSalam	28 28	4	2	1	1	37 37	74 74	7
21028 21071	SRD126IVI SRD127V	EV		2	Victory Houston	20	3	2	1	1	37	74	7
21074	SRD140B	E٧	1	2	BakerRipley East Aldine Campus	24	3	2	1	1	17	33	8
21085	SRD140	EΛ	_	2	Hardy Street Senior Citizens Center	20	3	2	1	1	28	56	7
21102 21113	SRD141G SRD141L	E۷		1	Green House International Church Lone Star College North Harris	20	3	2	1	1	14 22	27 44	10
21131	SRD145N	EΝ		2	Houston Community College Northline	20	3	2	1	1	5	10	7
21151	SRD140N	ΕV		2	North East Community Center	20	3	2	1	1	37	74	7
31022 31024	SRD143R SRD139H	E۷	_	2	Neighborhood Centers Inc Ripley House Campus HCC North Forest Campus	20	3	2	1	1	37 30	74 60	6 8
31030	SRD142C	EΝ	_	1	C. E. King 9th Grade Center	20	3	2	1	1	37	74	8
31066	SRD128Z	ΕV		3	Crosby Branch Library	24	3	2	1	1	37	74	7
31072 31082	SRD142G SRD141U	E۷		3	San Jacinto College Generation Park Humble Civic Center	20 34	3 5	2	2	1	37 37	75 74	7
31084	SRD128V	ΕV		3	Vera Brummet May Community Center	28	4	2	1	1	37	74	7
41001	SRD144J	_	′	-	John Phelps Courthouse	20	3	2	1	1	31	63	7
41005 41016	SRD142W SRD143C	E۷	_	2	North Channel Branch Library Milton Lusk Activity Center	20	3	2	1	1	37 37	74 74	7
41018	SRD143C SRD143A	EΝ		2	Alvin D Baggett Community Center	20	3	2	1	1	17	34	7
41030	SRD128D	EΛ		2	J D Walker Community Center	24	3	2	1	2	27	53	7
41033 41041	SRD142Z SRD128J	E۷	,	3	Martin Flukinger Community Center San Jacinto Community Center	20	3	2	1	1	12 37	23 74	7
41041	SRD142A	ΕV	_	3	Riley Chambers Community Center	26	4	2	1	1	37	74	8
51013	SRD144R	E٧		2	Cleveland Ripley Neighborhood Center	20	3	2	1	1	37	74	8
51028 51038	SRD129U SRD129D	E۷		2	Freeman Branch Library University of Houston Clear Lake	32 24	5	2	2	2	37 37	74 74	7
51051	SRD129X	ΕV		2	Forest Bend Homeowners Association Inc	20	3	2	1	1	37	74	9
51060	SRD128F	E٧	_	2	Evelyn Kennedy Civic Center	20	3	2	1	1	35	70	7
51061 61001	SRD143B SRD129W	EV	_	2	Baytown Community Center Webster Civic Center	24	3	2	1	2	79 37	159 74	7 8
61001	SRD129W SRD129S	ΕV		2	Harris County Scarsdale Annex	20	3	2	1	1	87	174	7
61012	SRD129E	E٧		1	El Franco Lee Community Center	20	3	2	1	1	38	75	7
61031 61033	SRD146C SRD145H	E۷		2	Saint Philip Neri Catholic Church City of South Houston Municipal Court	20	3	2	1	1	25 10	50 20	7
61045	SRD143H SRD131C	ΕV		1	The Collective-The Power Center	20	3	2	1	1	37	74	7
61050	SRD131	E٧		1	Hiram Clarke Multi Service Center	24	3	2	1	2	37	74	7
61055 61059	SRD131T SRD146S	EV		1	Tom Bass Park Community Center Section Three Sunnyside Multi Service Center	20	3	2	1	1	37 37	74 74	7
71011	SRD1403	ΕV		4	HCC Alief Center	26	4	2	1	1	22	43	7
71013	SRD149X	E٧	′	4	Mission Bend Islamic Center	26	4	2	1	1	9	18	7
71022 71072	SRD131R SRD149B	E۷	_	4	Raindrop Turkish House Alief ISD Administration Building	26 30	4	2	1	1	37 66	74 131	8 7
71072	SRD149B SRD131P	ΕV		1	Fountain of Life Center	20	3	2	1	1	37	74	8
72079	SRD137E		1		Chinese Civic Center	26	4	2	1	1	37	74	8
81024 81042	SRD133 SRD132F		,		Nottingham Park Building Hampton Inn and Suites Houston Katy	26 26	4	2	2	2	37 37	74 74	7
81063	SRD132F SRD149L	ΕV			Alief ISD Center for Talent Development	24	3	2	1	1	37	74	8
91001	SRD001C	E٧	′	2	University of Houston-Downtown	24	3	2	1	1	37	74	7
91009 91010	SRD147T SRD147U	EV		1	Texas Southern University University of Houston Student Center	26 20	3	2	1	<u>2</u>	10 37	20 74	7 8
91010	SRD1470 SRD147S		,		University of Houston Student Center Wheeler Avenue Baptist Church	20	3	2	1	1	4	8	8
91032	SRD142K	E٧	′	1	Kashmere MultiService Center	20	3	2	1	1	44	87	7
91043 91052	SRD145C SRD145M	E۷	,		HCC Southeast College Building D Moody Park Community Center	20 24	3	2	1	2	47 51	95 102	8 7
91052	SRD145M SRD134I	ΕV		4	Hampton Inn and Suites Katy Freeway	26	4	2	1	1	37	74	8
91073	SRD143K	E٧	′	2	Denver Harbor Community Center	20	3	2	1	1	37	74	6
91093	SRD134S	ΕV		1	John P McGovern Texas Medical Center Commons	20	3	2	1	1	31	61 74	9
91101 91122	SRD147Z SRD147E		,		Shrine of the Black Madonna Cultural and Event Center West End Multi Service Center	24	3	2	1	1	37 20	39	7
91127	SRD134B	E٧	′	4	Girl Scouts of San Jacinto Council	26	4	2	1	1	37	74	7
91134	SRD134G	ΕV		4	La Quinta Inn & Suites by Wyndham Houston Galleria Area	26	4	2	1	1	37	74	7
11003 11072	SRD135S SRD138C	E۷	,	4	Steve Radack Community Center City Jersey Village Municipal Government Center	28 36	4 5	3	2	2 1	108 132	217 264	7
11112	SRD130L	E٧	′	3	Saint John Lutheran Church and School	26	4	2	2	1	37	74	8
11125	SRD132P		,		John Paul Landing Environmental Education Center	24	3	2	2	1	37	74	8
11134 11158	SRD135W SRD138S	E۷		3	Richard and Meg Weekley Community Center Trini Mendenhall Community Center	60 60	6	3	2	3	157 186	313 372	6 8
11167	SRD126P	E٧	′	3	Prairie View A&M University Northwest	28	4	2	2	1	141	282	7
21009	SRD130T	ΕV		3	Tomball Public Works Building	60	6	3	2	1	37	74	7
21010 21021	SRD150L SRD150X	E۷	,		Lone Star College Creekside Hosanna Lutheran Church	28	3	2	2 2	1	75 37	151 74	7
21021	SRD150K	ΕV			Klein Multipurpose Center	36	5	3	2	2	102	205	7
21038	SRD126C	E٧	′	3	HCPL Barbara Bush Branch	26	4	2	2	2	37	74	8
21042 21088	SRD150C SRD139F		,		Above and Beyond Fellowship Fallbrook Church	30 28	4	2	2	2	86 90	173 180	7
21119	SRD150B	EΛ		3	Big Stone Lodge	30	4	2	2	1	75	151	7
31059	SRD127Y	E٧	′	3	Kingwood Community Center	60	6	3	2	3	37	216	6

Early Voting Equipment Allocations - 1122

ED Poll Code	EV Identifier	EV	сс	Location	Duos	Controllers	EV Scans	ED Scans (For EV Locations)	DuoGo	Initial Ballot Paper Packet	Adjusted Ballot Paper Packets	ED Clerk Allocation
31080	SRD127E	EV	3	Holiday Inn Express & Suites Atascocita - Humble - Kingwood an IHG Hotel	26	4	2	2	1	37	74	8
51017	SRD128P	EV	2	East Harris County Activity Center	30	4	2	2	2	161	321	8
71060	SRD137B	EV	4	Bayland Park Community Center	36	5	3	2	1	122	244	7
71066	SRD134W	EV	1	HCC West Loop South	20	3	2	2	1	37	74	7
81008	SRD137T	EV	4	Tracy Gee Community Center	30	4	2	2	2	37	74	7
81046	SRD132D	EV	4	HCPL Maud Smith Marks Branch Library	26	4	2	2	1	37	74	7
81054	SRD133Z	EV	3	First Congregational Church	26	4	2	2	1	37	74	6
91065	SRD134M	EV	1	Metropolitan MultiService Center	60	7	3	2	3	252	504	7
91109	SRD145J	EV	1	SPJST Lodge Num 88	28	4	2	2	2	37	74	7

Attachment 2 Election Day Equipment Allocations - 1122

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
12001	ED	4	Iglesia Bautista Redencion	12	2	1	1	3	6	6	600
12002	ED	4	Lieder Elementary School	12	2	1	1	3	6	6	600
12003 12004	ED ED	1	Glorious Way Church ISGH Bear Creek Community Center	10 12	2	1	1	3	6	6	600 600
12004	ED	4	To Be Determined (Autumn Creek Baptist Church)	10	2	1	1	3	6	6	600
12006	ED	4	Ronnie Truitt Middle School	12	2	1	1	3	6	6	600
12007	ED	4	Katherine Tyra Branch Library	12	2	1	1	3	6	6	600
12009	ED	4	To Be Determined (Mayde Creek Junior High School)	13	2	1	1	3	6	6	600
12010	ED	4	New Westlake Volunteer Fire Department Station	12	2	1	1	3	6	6	600
12011	ED	4	Mayde Creek High School	12	2	1	1	3	6	6	600
12012 12013	ED ED	4	Korean Central Presbyterian Church of Houston True Grace Bible Church	12 12	2	1	1	3	6	6	600 600
12013	ED	4	Metcalf Elementary School	12	2	1	1	3	6	6	600
12015	ED	4	Tipps Elementary School	10	2	1	1	3	6	6	600
12016	ED	4	Julia W Kahla Middle School	12	2	1	1	3	6	6	600
12018	ED	3	West Houston Church of Christ	16	2	1	1	8	17	6	1667
12019	ED	3	Labay Middle School	14	2	1	1	3	6	6	600
12020	ED	4	Holmsley Elementary School	12	2	1	1	3	6	6	600
12021	ED	3	Christ Covenant Church	16	2	1	1	3	6	6	600
12022	ED ED	3	Copperfield Church Owens Elementary School	13 14	2	1	1	3	6	6	600 600
12023 12024	ED	3	Birkes Elementary School	12	2	1	1	3	<u>ь</u> 6	6	600
12024	ED	3	Northpointe Intermediate School	14	2	1	1	3	6	6	600
12028	ED	3	Wildwood Elementary School	12	2	1	1	3	6	6	600
12029	ED	4	Rosehill Elementary School	12	2	1	1	3	6	6	600
12031	ED	4	Canyon Pointe Elementary School	10	2	1	1	3	6	6	600
12032	ED	4	To Be Determined (Encourager Church)	10	2	1	1	3	6	6	600
12034	ED	3	Shadow Oaks Elementary School	12	2	1	1	3	6	6	600
12035	ED	1	Independence Heights Community Center	10	2	1	1	3	6	6	600
12036	ED	1	John F Kennedy Elementary School	10	2	1	1	3	6	6	600
12037	ED	1	HCC Acres Homes Campus	10	2	1	1	3	6	6	600
12038	ED ED	1	Josie Ruth Smith School	10 10	2	1	1	3	6	6	600 600
12039 12040	ED	1	Wesley Elementary School Highland Park Recreation Center	10	2	1	1	3	6	6	600
12040	ED	1	Saint Pauls Missionary Baptist Church	10	2	1	1	3	6	6	600
12042	ED	1	Houston Liederkranz	10	2	1	1	3	6	6	600
12043	ED	2	High School Ahead Academy	10	2	1	1	3	6	6	600
12044	ED	3	Campbell Middle School	10	2	1	1	3	6	6	600
12046	ED	3	Iglesia Trinidad Church	14	2	1	1	3	6	6	600
12047	ED	3	Gleason Elementary School	14	2	1	1	3	6	6	600
12048	ED	3	Charles B Cook Middle School	10	2	1	1	3	6	6	600
12049	ED ED	3	Ramona Bang Elementary School Frazier Elementary School CFISD	14 10	2	1	1	3	6	6	600 600
12050 12051	ED	3	To Be Determined (Willbern Elementary School)	12	2	1	1	3	6	6	600
12051	ED	3	SpringHill Suites Northwest-Cypress	12	2	1	1	3	6	6	600
12052	ED	3	Kirk Elementary School	12	2	1	1	3	6	6	600
12054	ED		Cypress Fairbanks Funeral Home	12	2	1	1	3	6	6	600
12055	ED	3	Wortham Village Clubhouse	12	2	1	1	3	6	6	600
12056	ED		Barwood Home Owners Clubhouse	13	2	1	1	3	6	6	600
12057	ED		Thomas M Danish Elementary School	16	2	1	1	3	6	6	600
12058	ED	3	Emmott Elementary School	12	2	1	1	3	6	6	600
12059	ED	3	Homewood Suites by Hilton CyFair	14	2	1	1	3	6	6	600
12060	ED ED	3	Matzke Elementary School	14	2	1	1	3	6	6	600 600
12062 12064	ED	3	Lakewood Elementary School Norchester Clubhouse	14 14	2	1	1	3	6	6	600
12064	ED	3	Bleyl Middle School	12	2	1	1	3	6	6	600
12068	ED	1	To be Determined (Windfern Forest Utility Building)	10	2	1	1	3	6	6	600
12069	ED	1	Rolling Fork Club	10	2	1	1	3	6	7	600
12070	ED		Saint Matthews Catholic Church	10	2	1	1	3	6	6	600
12071	ED	1	Willie B Ermel Elementary School	10	2	1	1	3	6	6	600
12073	ED		Greater Macedonia Baptist Church	14	2	1	1	3	6	6	600
12075	ED		Lafaye Johnson Lee Elementary School	14	2	1	1	3	6	6	600
12076	ED	-	Carverdale Park Community Center	13	2	1	1	3	6	7	600
12077	ED ED		Korean Christian Church of Houston	14	2	1	1	3	6	6	600
12079 12080	ED	4	Clay Road Baptist Church Hollibrook Elementary School	13	2	1	1	3	6	6	600 600
12080	ED	_	Northbrook Middle School	14	2	1	1	3	6	6	600
12081	ED	4	Buffalo Creek Elementary School	9	2	1	1	3	6	6	600
12083	ED	_	Northbrook Senior High School	14	2	1	1	3	6	6	600
12084	ED	3	To Be Determined (Spring Woods High School)	10	2	1	1	3	6	6	600
12085	ED	3	Spring Woods Middle School	16	2	1	1	3	6	6	600
		3	Caring Proach Flomentory Cohool	12	2	1	1	3	6	6	600
12086 12087	ED ED		Spring Branch Elementary School	12	2	1	1	3	6	6	000

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
12088	ED	1	Northwest Church of Christ	10	2	1	1	3	6	6	600
12089	ED	1	Clifton Middle School	9 10	2	1	1	3	6	6	600 600
12090 12092	ED ED	2	Wainwright Elementary School Hill Elementary School	10	2	1	1	3	6	6	600
12092	ED	2	Armandina Farias Early Childhood Center	10	2	1	1	3	6	6	600
12094	ED	4	Lone Star College Cypress Center	12	2	1	1	3	6	6	600
12095	ED	4	To Be Determined (Cardiff Junior High)	13	2	1	1	3	6	6	600
12096	ED	4	First Christian Church	12	2	1	1	3	6	6	600
12097	ED	4	Hyatt Place Houston/Katy	12	2	1	1	3	6	6	600
12099	ED	4	Thornton Middle School	10	2	1	1	3	6	6	600 600
12100 12101	ED ED	4	Harris County Annex 57 To Be Determined (T H McDonald Junior High School)	12 13	2	1	1	12	6 24	6	2400
12101	ED	4	Jowell Elementary School	12	2	1	1	3	6	6	600
12103	ED	4	McFee Elementary School	12	2	1	1	3	6	6	600
12104	ED	4	Morton Ranch High School	12	2	1	1	3	6	6	600
12105	ED	4	Sandra Bales Walker Elementary School	12	2	1	1	3	6	6	600
12106	ED	4	Legacy Stadium	12	2	1	1	3	6	6	600
12108	ED	4	To Be Determined (Katy Junior High School)	13	2	1	1	3	6	6	600
12109	ED	4	Katy Civic Center	12	2	1	1	3	6	6	600
12113 12114	ED ED	3	Spillane Middle School Royce Black Elementary School	12 14	2	1	1	3	6	6 7	600 600
12114	ED	3	Saint Marys Episcopal Church	14	2	1	1	3	6	6	600
12117	ED	3	Hamilton Middle School	14	2	1	1	3	6	6	600
12118	ED	3	Cypress Fairbanks Exhibit Center	16	2	1	1	3	6	6	600
12119	ED	3	HCPL Northwest Library	14	2	1	1	3	6	6	600
12120	ED	3	Goodson Middle School	14	2	1	1	3	6	6	600
12121	ED	3	Sampson Elementary School	12	2	1	1	3	6	6	600
12123	ED	3	Cypress Crossing Christian Center	12	2	1	1	3	6	6	600
12124	ED	3	Fairfield Baptist Church	12	2	1	1	3	6	6	600
12126 12127	ED ED	3	Woodie Coker Andre Elementary School Lakeland Activity Center	12 14	2	1	1	3	6	6	600 600
12127	ED	4	Berry Center of Northwest Houston	10	2	1	1	3	6	6	600
12129	ED	3	Cy Fair College Library at Lone Star	12	2	1	1	3	6	6	600
12130	ED	4	Postma Elementary School	12	2	1	1	3	6	6	600
12131	ED	3	Salyards Middle School	18	2	1	1	3	6	6	600
12132	ED	3	Hopper Middle School	14	2	1	1	3	6	6	600
12133	ED	3	Pope Elementary School	14	2	1	1	3	6	6	600
12135	ED	3	Woodard Elementary School	12	2	1	1	3	6	6	600
12136	ED ED	3	Ault Elementary School	12	2	1	1	3	6	6	600
12138 12139	ED	1	Harper Alternative School Candlelight Park Community Center	10 9	2	1	1	3	6	6	600 600
12139	ED	1	Oak Forest Elementary School	10	2	1	1	3	6	6	600
12142	ED	1	Waltrip High School	10	2	1	1	3	6	6	600
12143	ED	1	B T Washington High School	9	2	1	1	3	6	6	600
12144	ED	1	Lincoln Park Community Center	10	2	1	1	3	6	6	600
12146	ED	1	First New Hope Bible Church	10	2	1	1	3	6	6	600
12148	ED		Nitsch Elementary School	10	2	1	1	3	6	6	600
12149	ED		Eisenhower Senior High School	10	2	1	1	3	6	6	600
12150	ED		Walter and Inez Stovall EC/PK/K School	10	2	1	1	3	6	6	600
12152 12153	ED ED	1	G W Carver Contemporary High School A B Anderson Academy	10 10	2	1	1	3	6	6	600 600
12153	ED	3	Woodview Elementary School	12	2	1	1	3	6	6	600
12155	ED	4	Landrum Middle School	12	2	1	1	3	6	6	600
12156	ED	4	Treasure Forest Elementary School	12	2	1	1	3	6	6	600
12157	ED	4	Housman Elementary School	12	2	1	1	3	6	6	600
12159	ED	4	Freed Park Clubhouse	12	2	1	1	3	6	6	600
12160	ED	3	Valley Oaks Elementary School	12	2	1	1	3	6	6	600
12161	ED	3	City of Spring Valley City Hall	16	2	1	1	3	6	6	600
12162	ED		World Changers Church Houston	12	2	1	1	3	6	6	600
12166 12169	ED ED	3	Quality Suites Cy-Fair at Jones Road Image Church	14 14	2	1	1	3	6	6	600 600
12170	ED		Cypress VFW Post 8905	12	2	1	1	3	6	6	600
12171	ED	3	Francone Elementary School	12	2	1	1	3	6	6	600
12172	ED	3	Chimney Hill Community Center	10	2	1	1	3	6	6	600
12173	ED	3	Fairwood Recreation Center and Pool	12	2	1	1	3	6	6	600
12174	ED	4	Deerfield Village Recreation Center	12	2	1	1	3	6	6	600
12175	ED	3	Lakewood United Methodist Church	14	2	1	1	3	6	6	600
12176	ED	3	The MET Church	12	2	1	1	3	6	8	600
12177	ED	3	Millsap Elementary School	12	2	1	1	3	6	6	600
12178 12179	ED ED	4	Graceview Baptist Church To Be Determined (Patricia E. Paetow High School)	12 12	2	1	1	3	6	6	600 600
141/9	בט			12		1	1	3	6		600
12180	ED	4	Roberts Road Elementary School	1 1/	2					6	DI III

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
22001	ED		Calvary Hills Funeral Home	9	2	1	1	3	6	6	600
22002 22003	ED ED	3	Ogden Elementary School Cypresswood Elementary School	12 16	2	1	1	3	6	6	600 600
22003	ED	3	Arnold Middle School	12	2	1	1	3	6	6	600
22005	ED	1	Ramada Inn	10	2	1	1	3	6	6	600
22006	ED	3	Humble ISD Collaboration Center	14	2	1	1	6	12	6	1200
22007	ED	1	Holiday Inn Houston Intercontinental Airport Hotel	10	2	1	1	3	6	6	600
22008	ED	3	Tomball Intermediate School	12	2	1	1	3	6	6	600
22011	ED	3	Creekside Park Junior High School	12	2	1	1	3	6	6	600
22012 22014	ED ED	3	First Baptist Church of Tomball Bernshausen Elementary School	12 15	2	1	1	3 9	6 18	6	600 1762
22014	ED	3	Kohrville Elementary School	14	2	1	1	3	6	6	600
22016	ED	3	Zwink Elementary School	12	2	1	1	3	6	6	600
22017	ED	3	French Elementary School	12	2	1	1	3	6	6	600
22018	ED	3	Londonderry Clubhouse	14	2	1	1	8	16	6	1600
22019	ED	3	Northampton MUD Community Center	14	2	1	1	3	6	7	600
22020	ED	3	Klein Oak High School	14	2	1	1	3	6	6	600
22022 22023	ED ED	3	The R.E.A.L. Church of Houston The Abiding Word Lutheran Church and School	12 10	2	1	1	3	6	7	600 600
22023	ED	1	Helen Major Elementary School	10	2	1	1	3	6	6	600
22025	ED	1	Eickenroht Elementary School	10	2	1	1	3	6	6	600
22026	ED	3	Bridgestone MUD Operations & Water Education Center	12	2	1	1	3	6	6	600
22027	ED	3	Ehrhardt Elementary School	16	2	1	1	3	6	7	600
22029	ED	3	To Be Determined (Kleb or Mittelstadt)	12	2	1	1	3	6	7	600
22031	ED	3	Hassler Elementary School	14	2	1	1	8	16	7	1600
22034	ED	3	Theiss Elementary School	12	2	1	1	3	6	6	600
22035	ED	3	Doerre Intermediate School	12	2	1	1	3	6	6	600
22036 22039	ED ED	3	Brill Elementary School Strack Intermediate School	15 12	2	1	1	3	6	6	600 600
22039	ED	3	Frank Elementary School	12	2	1	1	3	6	6	600
22040	ED	3	Kuehnle Elementary School	14	2	1	1	3	6	6	600
22042	ED	3	Spring First Church	12	2	1	1	3	6	8	600
22043	ED	3	To Be Determined (Dove Meadows HOA Clubhouse)	10	2	1	1	3	6	6	600
22044	ED	3	Spring Chateau	12	2	1	1	3	6	6	600
22045	ED	3	Roth Elementary School	14	2	1	1	3	6	6	600
22046	ED	3	Haude Elementary School	14	2	1	1	3	6	7	600
22047 22048	ED ED	3	Cypressdale Clubhouse Lemm Elementary School	12 14	2	1	1	3	6	6	600 600
22048	ED	3	Cypresswood Community Association Building	16	2	1	1	3	6	6	600
22050	ED	2	Burbank Middle School	10	2	1	1	3	6	6	600
22051	ED	2	Independence Hall Apartments Community Room	10	2	1	1	3	6	6	600
22052	ED	2	Herrera Elementary School	10	2	1	1	3	6	6	600
22053	ED	2	Harris County Department of Education	10	2	1	1	3	6	6	600
22054	ED	2	Janowski Elementary School	10	2	1	1	3	6	6	600
22055	ED	2	Sendero de la Cruz	10	2	1	1	3	6	6	600
22056	ED	2	Worsham Elementary School Wostfield Volunteer Fire Station 2	10	2	1	1	3	6	6	600
22057 22058	ED		Westfield Volunteer Fire Station 2 Shady Lane Park Community Center	10	2	1	1	3	6 6	6	600
22059	ED		Berry Elementary School	13	2	1	1	3	6	6	600
22060	ED		Roderick Paige Elementary	10	2	1	1	3	6	6	600
22061	ED	3	Saint Timothy Lutheran Church	14	2	1	1	3	6	6	600
22062	ED	-	Charterwood MUD Administration Activity Building	13	2	1	1	3	6	6	600
22063	ED		Ulrich Intermediate School	12	2	1	1	3	6	6	600
22064 22066	ED	2	Calvert Elementary School Aldine Middle School	9 10	2	1	1	3	6	6	600 600
22066	ED ED	2	Little York Volunteer Fire Station 81	10	2	1	1	3	6	6	600
22070	ED	2	Blanson CTE High School	9	2	1	1	3	6	6	600
22072	ED	2	Gloria B Sammons Elementary School	10	2	1	1	3	6	6	600
22073	ED	2	Iglesia Bautista Libre	10	2	1	1	3	6	6	600
22075	ED	2	1st Baptist Church North Houston	10	2	1	1	8	16	6	1600
22076	ED	2	Oleson Elementary School	10	2	1	1	3	6	6	600
22077	ED	2	Mary Walke Stephens Elementary School	10	2	1	1	3	6	6	600
22078	ED ED	2	Black Elementary School	10	2	1	1	3	6	6	600 600
22079 22080	ED	2	Evelyn Thompson Elementary School Pep Mueller County Park Clubhouse	10 10	2	1	1	3	6	6	600
22080	ED	2	Melrose Park Community Center	10	2	1	1	3	6	6	600
22086	ED	2	American Legion Post No 586	10	2	1	1	3	6	6	600
22087	ED	2	Clark Park Community Center	13	2	1	1	3	6	6	600
22090	ED	1	Spring ISD Child Nutrition and Training Center	10	2	1	1	3	6	6	600
22091	ED	1	Thompson Elementary School	10	2	1	1	3	6	6	600
22092	ED	-	Beneke Elementary School	10	2	1	1	3	6	6	600
22093	ED		Clark Primary School	10	2	1	1	3	6	6	600
22094	ED	1	Kinsmen Lutheran Church	10	2	1	1	3	6	6	600

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
22095	ED	3	Memorial Chase Home Owners Association Clubhouse	14	2	1	1	3	6	6	600
22098	ED	1	Klenk Elementary School	10 10	2	1	1	3	6	6	600 600
22099 22100	ED ED	1	Northcliffe Manor Community Center New Destiny Praise and Worship Center	10	2	1	1	3	6	6	600
22100	ED	1	Conley Elementary School	9	2	1	1	3	6	6	600
22103	ED	1	New Light Christian Center	10	2	1	1	3	6	6	600
22104	ED	1	Link Elementary School	10	2	1	1	3	6	6	600
22106	ED	1	Richard and Kitty Spence Elementary School	10	2	1	1	3	6	6	600
22107	ED	1	Lewis Elementary School	10	2	1	1	3	6	6	600
22108	ED	3	Church of Christ in Champions Huntwick Forest Clubhouse Recreational Facility	13	2	1	1	3	6	8	600 1200
22109 22110	ED ED	3	Saint Dunstans Episcopal Church Parish Hall	14 14	2	1	1	6	12 6	6	600
22111	ED	1	McDougle Elementary School	10	2	1	1	3	6	6	600
22112	ED	1	Shotwell Middle School	10	2	1	1	3	6	6	600
22114	ED	1	Dekaney High School	10	2	1	1	3	6	6	600
22116	ED	1	Nimitz High School	10	2	1	1	3	6	6	600
22117	ED	1	Cooper Elementary School	10	2	1	1	3	6	6	600
22118	ED	3	Ginger McNabb Elementary School	12	2	1	1	3	6	6	600
22120	ED	3	To Be Determined (Northgate Crossing Elementary School)	10	2	1	1	3	6	6	600
22121 22122	ED ED	3	Winship Elementary School Twin Creeks Middle School	12 12	2	1	1	3	6	6	600 600
22122	ED	3	To Be Determined (Mildred Jenkins Elementary School)	10	2	1	1	3	6	6	600
22123	ED	3	Anderson Elementary School	12	2	1	1	3	6	6	600
22127	ED	3	Wells Middle School Auxiliary Gym	12	2	1	1	3	6	6	600
22128	ED	1	Comfort Inn & Suites FM1960-Champions	9	2	1	1	3	6	6	600
22129	ED	3	Carl Wunsche Senior High School	10	2	1	1	3	6	6	600
22130	ED	2	Iglesia Bautista Caminando con Jesus	10	2	1	1	3	6	6	600
22132	ED	3	Yeager Elementary School	12	2	1	1	3	6	6	600
22134	ED	1	Eiland Elementary School	10	2	1	1	3	6	6	600
22148 22149	ED ED	2	De Chaumes Elementary School Moreno Elementary School	10 10	2	1	1	3	6	6	600 600
22149	ED	1	Plummer Middle School	10	2	1	1	3	6	6	600
22152	ED	1	Champions Community Church	13	2	1	1	3	6	6	600
22153	ED	1	Spring ISD Transportation Center	10	2	1	1	3	6	6	600
22154	ED	3	Timber Lane Community Center	12	2	1	1	3	6	6	600
22155	ED	2	ULH Event Center	10	2	1	1	3	6	6	600
22156	ED	1	Thompson Elementary School	10	2	1	1	3	6	6	600
22157	ED	1	Adel Road Islamic Center	9	2	1	1	3	6	6	600
32003	ED ED	3	To Be Determined (Atascocita Branch Library)	12 14	2	1	1	3	6	7 6	600 600
32004 32005	ED	3	Oaks Elementary School Pine Forest Elementary School	14	2	1	1	3	6	6	600
32005	ED	3	Oak Forest Elementary School Humble ISD	14	2	1	1	3	6	6	600
32007	ED	3	Lake Houston Church of Christ	12	2	1	1	3	6	6	600
32008	ED	3	Lake Houston Church of the Nazarene	14	2	1	1	3	6	8	600
32009	ED	3	Whispering Pines Elementary School	12	2	1	1	3	6	6	600
32010	ED	3	Humble Middle School	14	2	1	1	6	12	6	1200
32011	ED	3	Eagle Spring Elementary School	12	2	1	1	3	6	6	600
32012		3	Atascocita Middle School	12	2	1	1	3	6	6	600
32013	ED		Timbers Elementary School	12	2	1	1	3	6	6	600
32014 32015	ED ED	2	New Beulah E Johnson Elementary School Journey of Faith UMC	10	2	1	1	3	6	6	600 600
32015	ED	1	Park Lakes Elementary School	10	2	1	1	3	6	8	600
32017	ED	1	The Light of the World Christian Fellowship	10	2	1	1	3	6	6	600
32018	ED	3	River Pines Elementary School	14	2	1	1	3	6	6	600
32019	ED	1	Fall Creek Elementary School	10	2	1	1	3	6	6	600
32020	ED	1	Sierra Meadows Apartments	10	2	1	1	3	6	6	600
32021	ED	1	Grace Church International	10	2	1	1	3	6	6	600
32025 32026	ED ED	1	Beebe Tabernacle Christian Methodist Episcopal	13 10	2	1	1	9	18 6	6	1757 600
32026	ED	1	Greater New Hope Missionary Baptist Church Shadydale Elementary School	10	2	1	1	3	6	6	600
32027	ED	1	New Mount Carmel Baptist Church	10	2	1	1	3	6	6	600
32029	ED	1	Felix Cook Junior Elementary School	10	2	1	1	3	6	6	600
32031	ED	3	Lakeshore Elementary School	14	2	1	1	3	6	6	600
32032	ED	1	Woodcreek Middle School	10	2	1	1	3	6	6	600
32033	ED	1	Sheldon ISD Administration Building Network Operations Center	10	2	1	1	3	6	6	600
32034	ED	1	Deussen Park Senior Center	10	2	1	1	3	6	6	600
32035	ED	1	Sheldon Elementary School	10	2	1	1	3	6	6	600
32036	ED ED	2	Royalwood Elementary School Greater New Grove Christian Worship Center Church	10	2	1	1	3	6	7 6	600
32037 32038	ED	1	Greater New Grove Christian Worship Center Church Tabernacle of Praise Family Worship Center	10	2	1	1	3	6	6	600 600
32038	ED	1	Fonwood Elementary School	10	2	1	1	3	6	6	600
		1	North Forest High School	10	2	1	1	3	6	6	600
32040	EDI	_ ,	Moren Forest High School								

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
32042	ED		Greater Emmanuel Family Worship Center	10	2	1	1	3	6	6	600
32043 32044	ED ED	1	Key Middle School Kashmere High School	10 10	2	1	1	3	6	6	600 600
32044	ED	1	Lakewood Park Community Center	10	2	1	1	3	6	6	600
32047	ED	1	Bethany Baptist Church Fellowship Hall	9	2	1	1	3	6	6	600
32048	ED	1	Little Union Missionary Baptist Church	10	2	1	1	3	6	6	600
32049	ED	1	Hobart Taylor Park Community Center	10	2	1	1	3	6	6	600
32051	ED	3	Foster Elementary School	12	2	1	1	3	6	8	600
32052 32054	ED ED	3	To Be Determined (Kingwood High School) Kingwood Park High School Performing Arts Center	10 14	2	1	1	3	6	6	600 600
32055	ED	3	Good Shepherd Episcopal Church	14	2	1	1	3	6	6	600
32056	ED	3	HC Public Library Kingwood Branch	14	2	1	1	3	6	6	600
32057	ED	3	Creekwood Middle School	16	2	1	1	3	6	8	600
32058	ED	3	Hidden Hollow Elementary School	14	2	1	1	3	6	6	600
32060	ED	3	Deerwood Elementary School	12	2	1	1	3	6	8	600
32061 32062	ED ED	3	Willow Creek Elementary School in Humble ISD Riverwood Middle School	12 14	2	1	1	3	6	7	600 600
32062	ED	3	Shadow Forest Elementary School	12	2	1	1	3	6	6	600
32065	ED	3	Crosby Kindergarten Center	12	2	1	1	3	6	6	600
32067	ED	3	Newport Elementary School	14	2	1	1	3	6	6	600
32069	ED	3	To Be Determined (Lake Houston United Methodist Church)	10	2	1	1	3	6	6	600
32070	ED	3	First Baptist Church Huffman Youth Center	12	2	1	1	3	6	6	600
32071	ED	3	West Campus Gym	12	2	1	1	3	6	7	600
32077 32079	ED ED	3	Fellowship of Enlightenment Church Crosby Church Afob	10 12	2	1	1	3	6	6	600 600
32079	ED	3	Kingwood Middle School	14	2	1	1	3	6	6	600
32083	ED	2	Furr High School	10	2	1	1	3	6	6	600
42003	ED	2	Purple Sage Elementary School	10	2	1	1	3	6	6	600
42004	ED	2	Kenneth J Tice Elementary School	10	2	1	1	3	6	6	600
42006	ED	2	Judson Robinson Junior Elementary School	10	2	1	1	3	6	6	600
42007 42008	ED ED	2	North Shore Middle School North Shore Elementary School	10	2	1	1	8	16 6	6	1600 600
42008	ED	2	Green Valley Elementary School	10	2	1	1	3	6	6	600
42010	ED	2	San Jacinto College Central Campus Library	10	2	1	1	3	6	6	600
42011	ED	2	Felix L Baldree Building	10	2	1	1	3	6	6	600
42012	ED	2	Cimarron Elementary School GPISD	10	2	1	1	3	6	6	600
42013	ED	2	Northshore Friends Church	10	2	1	1	3	6	6	600
42014	ED	2	Woodland Acres Elementary School	10	2	1	1	3	6	6	600
42015 42017	ED ED	2	Clinton Park Community Center First Baptist Church of Jacinto City	9 10	2	1	1	3	6	6	600 600
42017	ED	2	Baytown Junior High	10	2	1	1	3	6	6	600
42020	ED	2	Sterling Municipal Library	10	2	1	1	3	6	6	600
42022	ED	2	Stuart Career Tech High School	10	2	1	1	3	6	6	600
42023	ED	2	William B. Travis Elementary	10	2	1	1	3	6	6	600
42024	ED	2	James Bowie Elementary School	10	2	1	1	3	6	6	600
42025	ED	2	Cedar Bayou Junior School	10	2	1	1	3	6	6	600
42026 42027	ED		Ashbel Smith Elementary School De Zavala Elementary School	10	2	1	1	3	6	6	600
42028	ED		Goose Creek Memorial High School	14	2	1	1	3	6	6	600
42029	ED		Navarre Funeral Home	10	2	1	1	3	6	6	600
42031	ED	2	George H Gentry Junior High School	10	2	1	1	3	6	6	600
42035	ED		Viola Cobb Elementary School	10	2	1	1	3	6	6	600
42036	ED		Alice Johnson Junior High School	10	2	1	1	3	6	6	600
42037 42039	ED ED	3	L W Kolarik Education Center Charles R Drew Elementary School	14 15	2	1	1	3	6	6	600 600
42039	ED	2	Highlands Elementary School GCCISD	10	2	1	1	3	6	6	600
42044	ED	3	Comfort Suites	12	2	1	1	3	6	6	600
42047	ED	3	Mt Rose COGIC, City of Refuge	14	2	1	1	3	6	7	600
42048	ED	2	Trinity Episcopal Church	10	2	1	1	3	6	6	600
52001	ED	2	Bobby Shaw Middle School	10	2	1	1	3	6	6	600
52002	ED ED	2	Williams Elementary School	10	2	1	1	3	6	6	600
52003 52004	ED	2	Sunset United Methodist Church Sam Rayburn High School	10	2	1	1	3	6	6	600 600
52004	ED	2	Bailey Elementary School	10	2	1	1	3	6	6	600
52006	ED	2	Park View Intermediate School	10	2	1	1	3	6	6	600
52007	ED	2	Korean First Baptist Church	10	2	1	1	3	6	6	600
52008	ED	2	Keller Middle School	10	2	1	1	3	6	6	600
52009	ED	2	Deepwater Junior High School	10	2	1	1	3	6	6	600
52010	ED	2	McMasters Elementary School	10	2	1	1	3	6	6	600
52011 52012	ED ED	2	Golden Acres Elementary School Jensen Elementary School	10	2	1	1	3	6	6	600 600
52012	ED	2	First United Methodist Church	10	2	1	1	3	6	6	600
52014		2	Carol Teague Elementary School	10	2	1	1	3	6	6	600

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
52018	ED		Parkgate Community Church	10	2	1	1	3	6	6	600
52019 52020	ED ED	2	Harvey Turner Elementary School To Be Determined (Fairmont Elementary School)	10	2	1	1	9	18 6	6	1770 600
52023	ED	2	Gardens Elementary School	10	2	1	1	3	6	6	600
52024	ED	2	Pasadena High School	10	2	1	1	3	6	6	600
52025	ED	2	Red Bluff Elementary School	10	2	1	1	3	6	6	600
52026	ED	2	Pomeroy Elementary School	10	2	1	1	3	6	6	600
52029	ED	2	City of Nassau Bay Council Chamber	10	2	1	1	3	6	6	600
52030 52031	ED ED	2	Space Center Intermediate School North Pointe Elementary School	10	2	1	1	3	6	6	600 600
52032	ED	2	Brookwood Elementary School	9	2	1	1	3	6	6	600
52033	ED	2	Armand Bayou Elementary School	13	2	1	1	3	6	8	600
52034	ED	2	University Baptist Church	10	2	1	1	3	6	6	600
52035	ED	2	CCISD Learner Support Center	10	2	1	1	3	6	6	600
52036	ED	2	Clear Lake City Elementary School	10	2	1	1	3	6	6	600
52037	ED ED	2	To Be Determined (Whitcomb Elementary School)	10	2	1	1	3	6	6 8	600 600
52039 52040	ED	2	J F Ward Elementary School Hope Christian Reformed Church	10	2	1	1	3	6	6	600
52040	ED	2	Clear Lake Intermediate School	10	2	1	1	3	6	6	600
52043	ED	2	Bay Area Community Center	10	2	1	1	3	6	7	600
52044	ED	2	G W Robinson Elementary School	10	2	1	1	3	6	6	600
52045	ED	2	Seabrook Intermediate School	10	2	1	1	3	6	6	600
52046	ED	2	Captain Inn and Suites Seabrook Kemah	10	2	1	1	3	6	6	600
52047 52048	ED ED	2	City of El Lago City Hall Clear Lake Church of the Nazarene	12 10	2	1	1	3	6 6	6	600 600
52052	ED	2	College Park Elementary School	10	2	1	1	3	6	8	600
52053	ED	2	Deer Park Junior High School	10	2	1	1	3	6	6	600
52054	ED	2	Deer Park ISD Education Support Center	10	2	1	1	8	16	6	1600
52055	ED	2	Deer Park Community Center	10	2	1	1	3	6	6	600
52056	ED	2	Jimmy Burke Activity Building	10	2	1	1	3	6	6	600
52057	ED	2	Holiday Inn Express & Suites Deer Park	10	2	1	1	3	6	6	600
52058 52059	ED ED	2	Heritage Elementary School Kingsdale Recreation Center	10	2	1	1	3	6	6	600 600
52061	ED	2	The Academy of Viola De Walt	10	2	1	1	3	6	6	600
52062	ED	2	Lomax Junior High School	10	2	1	1	3	6	6	600
52063	ED	2	Rizzuto Elementary School	10	2	1	1	3	6	6	600
52064	ED	2	Jennie Reid Elementary School	10	2	1	1	3	6	6	600
52065	ED	2	Bayshore Baptist Church	10	2	1	1	3	6	6	600
52067 52069	ED ED	2	Bayshore Elementary School Charlton Park Recreation Center	10	2	1	1	3	6 6	6	600 600
52070	ED	2	Forest Oaks Baptist Church	10	2	1	1	3	6	6	600
52071	ED	2	Raul Yzaguirre School for Success Tejano Center Building B	10	2	1	1	3	6	6	600
52072	ED	2	Pearl Rucker Elementary School	10	2	1	1	3	6	6	600
52073	ED	2	W I Stevenson Middle School	10	2	1	1	3	6	6	600
52074	ED	2	Milstead Middle School	10	2	1	1	3	6	6	600
52075	ED	2	Freeway Manor Baptist Church	10	2	1	1	3	6	6	600
52076 52077	ED		Freeman Elementary School Garfield Elementary School	10	2	1	1	3	6 6	6	600
52078	ED		Genoa Staff Development Center	10	2	1	1	3	6	6	600
52080	ED		South Houston Intermediate School	10	2	1	1	3	6	6	600
52081	ED	2	Pearl Hall Elementary School	10	2	1	1	3	6	6	600
52082	ED		Lone Star Flight Museum	10	2	1	1	3	6	6	600
52083	ED		Nelda Sullivan Middle School	10	2	1	1	3	6	6	600
52084 52085	ED ED	2	Brookdale Clear Lake Clear Lake Islamic Center	10 12	2	1	1	3	6	6	600 600
52085	ED	2	Majid Abu Bakr	9	2	1	1	3	6	6	600
62002	ED	2	Westbrook Intermediate School	10	2	1	1	3	6	6	600
62003	ED	2	Clear Brook High School	10	2	1	1	3	6	6	600
62004	ED	2	Heritage Park Baptist Church	10	2	1	1	3	6	6	600
62005	ED	2	Courtyard by Marriott Houston Hobby	10	2	1	1	3	6	6	600
62006 62007	ED ED	2	Beverly Hills Community Center Rick Schneider Middle School	10	2	1	1	3	6	6	600 600
62007	ED	2	James DeAnda Elementary School	10	2	1	1	3	6	6	600
62009	ED	2	Laura Welch Bush Elementary School	10	2	1	1	3	6	6	600
62010	ED	2	Weber Elementary School	10	2	1	1	3	6	6	600
62015	ED	2	Beverly Hills Intermediate School	10	2	1	1	3	6	6	600
62016	ED	2	Frazier Elementary School PISD	10	2	1	1	3	6	8	600
62017	ED	2	Stuchbery Elementary School	10	2	1	1	3	6	6	600
62018	ED	2	South Belt Elementary School	10	2	1	1	3	6	6 7	600 600
62019 62020	ED ED		SJC South Campus Fine Arts Center Building 15 Burnett Elementary School	10	2	1	1	3	6	6	600
62021	ED	1	Greater New Testament Church	10	2	1	1	3	6	6	600
62022		1	Greater Saint Matthew Church Southeast Campus	10	2	1	1	3	6	6	600

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
62024	ED	1	Reagan Webb Mading Elementary School	10	2	1	1	3	6	6	600
62025	ED	1	Kelso Elementary School	10 10	2	1	1	3	6	6	600 600
62026 62027	ED ED	1	Edgewood Park Community Center Norris Chapel United Methodist Church	10	2	1	1	3	6	6	600
62029	ED	1	Bastian Elementary School	13	2	1	1	8	16	6	1600
62030	ED	1	Codwell Elementary School	9	2	1	1	3	6	6	600
62032	ED	1	Robert L Frost Elementary School	10	2	1	1	3	6	6	600
62034	ED	2	Garden Villa Park Community Center	10	2	1	1	3	6	6	600
62035	ED	2	Daniel Ortiz Middle School	10	2	1	1	3	6	6	600
62036	ED	2	Glenbrook United Methodist Church	10	2	1	1	3	6	6	600 600
62037 62038	ED ED	2	Golfcrest Elementary School Seguin Elementary School	10 10	2	1	1	3	6	6	600
62039	ED	2	Bellfort Church of Christ	10	2	1	1	3	6	6	600
62040	ED	1	Jean Hines Caldwell Elementary School	10	2	1	1	3	6	6	600
62043	ED	1	Windsor Village Community Center	10	2	1	1	3	6	6	600
62044	ED	1	James Madison High School	10	2	1	1	3	6	6	600
62046	ED	1	Hobby Elementary School	10	2	1	1	3	6	6	600
62047	ED	1	The Crossing Community Church	10	2	1	1	3	6	7	600
62048	ED	1	Audrey H Lawson Middle School	13	2	1	1	3	6	6	600
62051	ED ED	1	Woodson Elementary School	10	2	1	1	3	6	6	600 600
62052 62053	ED	1	Living Faith Baptist Church Cloverland Park Bessie Swindle Community Center	10 9	2	1	1	3	6	6	600
62054	ED	1	James H Law Elementary School	10	2	1	1	3	6	7	600
62056	ED	1	Abiding Faith United Methodist Church	9	2	1	1	3	6	6	600
62057	ED	1	Worthing High School	10	2	1	1	3	6	6	600
62058	ED	1	South Early College High School	10	2	1	1	3	6	6	600
62060	ED	1	Sunnyside Park Community Center	10	2	1	1	3	6	6	600
62062	ED	1	Reynolds Elementary School	10	2	1	1	3	6	6	600
62063	ED	1	Mount Moriah Missionary Baptist Church	10	2	1	1	3	6	6	600
72001	ED	4	Elsik Senior High school	12	2	1	1	3	6	6	600
72003 72005	ED ED	4	Alief Middle School Chancellor Elementary School	13 12	2	1	1	3	6	6	600 600
72005	ED	4	Martin Elementary School	12	2	1	1	3	6	6	600
72007	ED	4	Notre Dame Catholic Church Parish Hall	12	2	1	1	3	6	6	600
72008	ED	4	Alexander Elementary School	13	2	1	1	3	6	6	600
72009	ED	4	Mildred Rickard Landis Elementary School	12	2	1	1	3	6	6	600
72010	ED	4	Hicks Elementary School	12	2	1	1	3	6	6	600
72012	ED	4	Southwest Community Christian Center	10	2	1	1	3	6	6	600
72015	ED ED	4	Mahanay Elementary School	12 12	2	1	1	3	6	6	600
72017 72018	ED	4	Liestman Elementary School Horn Elementary School	12	2	1	1	3	6	6	600 600
72018	ED	4	Mata Intermediate	12	2	1	1	3	6	6	600
72020	ED	4	Douglas Smith Elementary School	12	2	1	1	3	6	6	600
72021	ED	4	Cummings Elementary School	12	2	1	1	3	6	6	600
72023	ED	1	India House	10	2	1	1	3	6	6	600
72024	ED	4	Kate Bell Elementary School	12	2	1	1	3	6	6	600
72025	ED		Westbury Senior High School	10	2	1	1	3	6	7	600
72026	ED		Greater Saint Matthew Church Southwest Campus	10	2	1	1	3	6	6	600
72027	ED		Platou Community Center	12	2	1	1	3	6	6	600
72028 72029	ED ED	_	Willow Meadows Baptist Church Red Elementary School	10	2	1	1	3	6	6	600 600
72029	ED	1	Andy Anderson Elementary School	13	2	1	1	3	6	6	600
72030	ED	1	Foerster Elementary School	10	2	1	1	3	6	6	600
72032	ED	1	Bethels Place Community Empowerment Center	10	2	1	1	3	6	6	600
72033	ED	1	Gross Elementary School	10	2	1	1	3	6	6	600
72034	ED	1	Valley West Elementary School	10	2	1	1	3	6	6	600
72035	ED	1	Marian Park Community Center	10	2	1	1	3	6	6	600
72036	ED	1	Welch Middle School	10	2	1	1	3	6	6	600
72037 72038	ED ED	_	Milne Elementary School Riceville Mount Olive Baptist Church Multi Purpose Building	10	2	1	1	3	6	7 6	600 600
72038	ED		Fondren Park Community Building	10	2	1	1	3	6	6	600
72039	ED		Fondren Elementary School	10	2	1	1	3	6	6	600
72041	ED		Godwin Park Community Center	12	2	1	1	3	6	6	600
72043	ED	4	Herod Elementary School	12	2	1	1	3	6	6	600
72044	ED	_	Lovett Elementary School	10	2	1	1	3	6	6	600
72045	ED		Elrod Elementary School	12	2	1	1	3	6	6	600
72046	ED		Westbury Baptist Church	12	2	1	1	3	6	6	600
72047	ED	4	Parker Elementary School	12	2	1	1	3	6	6	600
72049 72050	ED	_	Shearn Elementary School Rellaire Civic Conter	10 9	2	1	1	3	6	6	600 600
/2000	ED		Bellaire Civic Center AW Jones EC/PK/K School	13	2	1	1	3	6	6	600
72051				13	. 4		1 1		U		1 000
72051 72053	ED ED	4	Sharpstown Park Community Center	12	2	1	1	3	6	6	600

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
72055	ED	4	Judy Bush Elementary School	12	2	1	1	3	6	6	600
72056	ED	4	Ed White Elementary School	12	2	1	1	3	6	6	600
72057 72058	ED ED	4	Sharpstown International School Lansdale Park Community Center	12	2	1	1	3	6	6	600 600
72059	ED	4	Betty Roberts Best Elementary School	13	2	1	1	3	6	6	600
72062	ED	4	Winford Funerals	12	2	1	1	3	6	8	600
72063	ED	4	Bonham Elementary School	13	2	1	1	3	6	6	600
72064	ED	4	Jane Long Academy Middle School	12	2	1	1	3	6	6	600
72065	ED	4	William S Sutton Elementary School	12	2	1	1	3	6	6	600
72067	ED	4	Cunningham Elementary School	12	2	1	1	3	6	6	600
72068 72070	ED ED	4	Al Noor Society of Houston Sylvan Rodriguez Jr Elementary School	10	2	1	1	3	6	6	600 600
72070	ED	4	Burnett Bayland Community Center	13	2	1	1	3	6	6	600
72073	ED	4	Chinese Community Center	12	2	1	1	3	6	6	600
72075	ED	4	BakerRipley Gulfton Sharpstown Campus	12	2	1	1	3	6	6	600
72076	ED	4	San Mateo Episcopal Church	12	2	1	1	3	6	6	600
72077	ED	4	Albright Middle School	12	2	1	1	3	6	6	600
82001	ED	4	Church on the Rock	10	2	1	1	3	6	6	600
82002	ED	4	Mission Bend United Methodist Church	12	2	1	1	3	6	6	600
82003	ED	4	Budewig Intermediate School	15	2	1	1	3	6	6	600
82004 82005	ED ED	4	Rees Elementary School Holmquist Elementary School	12 12	2	1	1	3	6	6	600 600
82005 82006	ED	4	Heflin Elementary School	12	2	1	1	3	6	6	600
82007	ED	4	Houston Marriott Westchase	12	2	1	1	3	6	6	600
82010	ED	4	Paul Revere Middle School	12	2	1	1	3	6	6	600
82011	ED	4	Christ the Servant Lutheran Church	13	2	1	1	3	6	7	600
82013	ED	4	HCC Alief Hayes Campus Building C	12	2	1	1	3	6	6	600
82014	ED	4	Sunset Shadows Apartments Clubhouse	10	2	1	1	3	6	6	600
82015	ED	4	Sneed Elementary School	10	2	1	1	3	6	6	600
82016	ED	4	West Briar Middle School	12	2	1	1	3	6	6	600
82017	ED	4	Ray K Daily Elementary School	12	2	1	1	3	6	6	600
82018 82020	ED ED	4	Ashford United Methodist Church Parkway Place	13 12	2	1	1	3	6	6	600 600
82020	ED	4	Country Village Clubhouse	13	2	1	1	3	6	6	600
82022	ED	4	Ashford Elementary School	15	2	1	1	3	6	6	600
82023	ED	4	Shadowbriar Elementary School	12	2	1	1	3	6	6	600
82025	ED	4	To Be Determined (Westchester Academy)	13	2	1	1	3	6	6	600
82026	ED	4	Econolodge West Energy Corridor	12	2	1	1	3	6	6	600
82027	ED	4	Rummel Creek Elementary School	12	2	1	1	3	6	6	600
82030	ED	3	To Be Determined (Bethel Church of Houston)	12	2	1	1	3	6	6	600
82031	ED ED	3	Unity of Houston	12	2	1	1	3	6	6	600 600
82032 82033	ED	4	T H Rogers School Briargrove Elementary School	15	2	1	1	3	6	6	600
82034	ED	4	Pilgrim Academy	12	2	1	1	3	6	6	600
82035	ED	4	Briarmeadow Clubhouse	15	2	1	1	3	6	6	600
82037	ED	4	Waldo Emerson Elementary School	12	2	1	1	3	6	6	600
82038	ED	4	Piney Point Elementary School	12	2	1	1	3	6	6	600
82039	ED	4	World Theater	12	2	1	1	3	6	6	600
82040	ED	-	Cornerstone Presbyterian Church	13	2	1	1	3	6	6	600
82041	ED	4	Kingsland Baptist Church	12	2	1	1	3	6	6	600
82044	ED	4	James E Taylor High School	12	2	1	1	3	6	6	600
82047 82048	ED ED	4	To Be Determined (Memorial Parkway Junior High School) Westland Baptist Church	13 12	2	1 1	1	3	6	8	600 600
82048	ED	3	Spring Branch Memorial Library-HCPL	16	2	1	1	3	6	6	600
82050	ED	3	Eighth Church of Christ Scientist	16	2	1	1	3	6	6	600
82052	ED	3	Crowne Plaza Houston Galleria	12	2	1	1	3	6	6	600
82053	ED	3	Spring Branch Middle School	12	2	1	1	3	6	6	600
82055	ED	3	Memorial Middle School	14	2	1	1	3	6	6	600
82056	ED	_	To Be Determined (Bunker Hill Elementary School)	13	2	1	1	3	6	6	600
82057	ED	3	To Be Determined (Frostwood Elementary School)	13	2	1	1	3	6	7	600
82058	ED		Memorial Drive Elementary School	14	2	1	1	3	6	6	600
82059 82060	ED ED	_	To Be Determined (Omni Houston Hotel) Tanglewood Middle School	10	2	1	1	3	6	7 6	600 600
82060	ED	4	Mandarin Immersion Magnet School	12	2	1	1	3	6	2	600
82066	ED	_	Houston Marriott West Loop by The Galleria	12	2	1	1	3	6	6	600
82067	ED	4	MAS Katy Center (Masjid Ar-Rahman)	12	2	1	1	3	6	7	600
82068	ED	_	Hunters Creek Elementary School	14	2	1	1	6	12	6	1200
82069	ED	4	Residence Inn by Marriott Houston Westchase on Westheimer	12	2	1	1	3	6	6	600
82070	ED	4	Element Houston Katy	12	2	1	1	3	6	6	600
82071	ED	Щ	Wisdom High School					3	6	6	600
82072	ED	_	Youngblood Intermediate School	12	2	1	1	3	6	6	600
92003	ED	2	Harris County Sheriff's Office	10	2	1	1	3	6	6	600
92004	LΕD	1	First Methodist Houston	10	2	1	1	3	6	6	600

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
92006	ED	2	Settegast Park Community Center	10	2	1	1	3	6	6	600
92007	ED ED	1	Baylor College of Medicine Academy at Ryan Middle School	9	2	1	1	3	6	6	600 600
92008 92012	ED	1	Christian Hope Baptist Church Emancipation Park	9	2	1	1	3	6	6	600
92012	ED	1	Trinity Episcopal Church	10	2	1	1	3	6	6	600
92014	ED	1	Cuney Homes Community Center	10	2	1	1	3	6	6	600
92015	ED	1	Saint Luke the Evangelist Episcopal Church	10	2	1	1	3	6	6	600
92016	ED	1	MacGregor Elementary School	10	2	1	1	3	6	6	600
92017	ED	1	Saint Marys Catholic Church	10	2	1	1	3	6	6	600
92018	ED	1	Saint James Episcopal Church	10	2	1	1	3	6	6	600 600
92019 92020	ED ED	2	Judson Robinson Junior Community Center Raul C Martinez Annex	10 10	2	1	1	3	6	6	600
92021	ED	2	MultiCultural Center	10	2	1	1	3	6	6	600
92022	ED	2	Edison Middle School	10	2	1	1	3	6	6	600
92023	ED	2	Eastwood Park Community Center	10	2	1	1	3	6	6	600
92024	ED	2	Tijerina Elementary School	10	2	1	1	3	6	6	600
92025	ED	2	Eastwood Academy Charter High School	10	2	1	1	3	6	7	600
92026	ED	2	Mason Park Community Center	10	2	1	1	3	6	6	600
92027	ED	2	EB Cape Center	10	2	1	1	3	6	6	600
92028 92030	ED ED	2	J P Henderson Elementary School Dogan Elementary School	10 10	2	1	1	3	6	6	600 600
92030	ED	1	Tuffly Park Community Center	10	2	1	1	3	6	6	600
92033	ED	1	Ross Elementary School	10	2	1	1	3	6	6	600
92034	ED	1	Harris County Annex No 36	10	2	1	1	3	6	6	600
92036	ED	1	New Pleasant Grove Baptist Church	10	2	1	1	3	6	6	600
92039	ED	1	Pleasantville Elementary School	10	2	1	1	3	6	6	600
92040	ED	2	DeZavala Park Community Center	10	2	1	1	3	6	6	600
92041	ED	2	John R Harris Elementary School	10	2	1	1	3	6	6	600
92042	ED	2	Ingrando Park Recreation Center	10	2	1	1	3	6	6	600 600
92044 92045	ED ED	2	Brookline Elementary School I P S P	10 12	2	1	1	3	6	6	600
92045	ED	1	Mount Sinai Baptist Church Family Life Center	10	2	1	1	3	6	6	600
92047	ED	4	Memorial Elementary School	12	2	1	1	3	6	6	600
92049	ED	1	Crockett Elementary School	10	2	1	1	3	6	6	600
92050	ED	4	Saint Lukes Missionary Baptist Church	12	2	1	1	3	6	6	600
92051	ED	2	CDA Internacional Church	10	2	1	1	3	6	6	600
92053	ED	2	Saint Anne de Beaupre Catholic Church	10	2	1	1	3	6	6	600
92054	ED	2	Saint Patrick Catholic Church	10	2	1	1	3	6	6	600
92055 92056	ED ED	2	Montie Beach Park Community Center Looscan Elementary School	10 10	2	1	1	3	6	6	600 600
92057	ED	1	Proctor Plaza Park Community Center	10	2	1	1	3	6	6	600
92058	ED	1	Hogg Middle School	10	2	1	1	3	6	6	600
92059	ED	1	Travis Elementary School HISD	10	2	1	1	3	6	6	600
92060	ED	2	Leonel J Castillo Community Center	10	2	1	1	3	6	6	600
92061	ED	2	John Marshall Middle School	10	2	1	1	3	6	6	600
92063	ED	4	First Cumberland Presbyterian Church	12	2	1	1	3	6	6	600
92064	ED		H O A P V Community Building	10	2	1	1	3	6	6	600
92066	ED		African American Library	10	2	1	1	3	6	6	600
92067 92068	ED ED		River Oaks Elementary School Mickey Leland College Preparatory Academy for Young Men	12 10	2	1	1	8	17 6	6	1700 600
92069	ED	1	Julia C Hester House	10	2	1	1	3	6	6	600
92070	ED	2	Charles Eliot Elementary School	10	2	1	1	3	6	6	600
92071	ED	2	Scroggins Elementary School	10	2	1	1	3	6	6	600
92072	ED	1	Bruce Elementary School	9	2	1	1	3	6	6	600
92074	ED	1	Wheatley Senior High School	10	2	1	1	3	6	6	600
92076	ED	1	Courtyard by Marriott West University	10	2	1	1	3	6	6	600
92077	ED	1	Rice University-Welcome Center	10	2	1	1	3	6	6	600
92078 92080	ED ED	1	Emanu El West University Community Building and Senior Center	10 10	2	1	1	3	6	6 7	600 600
92080	ED	1	West University Scout House	10	2	1	1	3	6	6	600
92081	ED		Southside Place Park Clubhouse	10	2	1	1	3	6	6	600
92083	ED		Pershing Middle School	10	2	1	1	3	6	6	600
92084	ED	1	The Rice School	10	2	1	1	3	6	6	600
92085	ED	1	Sheltering Arms Community Center	10	2	1	1	3	6	6	600
92087	ED	1	Linkwood Park Community Center	10	2	1	1	3	6	6	600
92088	ED	4	To Be Determined (Lamar High School)	10	2	1	1	3	6	6	600
92090	ED	4	River Oaks Recreation Center	12	2	1	1	3	6	6	600
92091 92092	ED ED	1	Michael E DeBakey High School for Health Professions Roberts Elementary School	10 10	2	1	1	3	6	6	600 600
92092	ED	1	Residence Garage Underwood	10	2	1	1	3	6	6	600
92094	ED		Poe Elementary School	10	2	1	1	3	6	7	600
	ED	_	Pin Oak Middle School	10	2	1	1	3	6	6	600
92097											

ED Poll Code	ED	сс	Location	Duos	Controllers	ED Scans	DuoGo	Initial Ballot Paper Packets	Adjusted Ballot Paper Packets	ED Clerk Allocation	Rough Turnout Projection
92099	ED	1	South Union Missionary Baptist Church Annex	10	2	1	1	3	6	6	600
92100	ED	1	Lora B Peck Elementary School	10	2	1	1	3	6	6	600
92103	ED	1	Mount Olive Baptist Church	10	2	1	1	3	6	7	600
92105	ED	1	Hartsfield Elementary School	10	2	1	1	3	6	6	600
92106	ED	1	M E Foster Elementary School	10	2	1	1	3	6	6	600
92108	ED	4	Sinclair Elementary School	12	2	1	1	3	6	6	600
92110	ED	1	Helms Community Learning Center	10	2	1	1	3	6	6	600
92111	ED	1	Field Elementary School	10	2	1	1	3	6	7	600
92113	ED	4	Resurrection Metropolitan Community Church	12	2	1	1	3	6	6	600
92114	ED	1	Love Park Community Center	10	2	1	1	3	6	6	600
92115	ED	1	Heights High School	10	2	1	1	3	6	6	600
92116	ED	1	BUDDY'S	13	2	1	1	3	6	7	600
92118	ED	1	Baker Montessori School	9	2	1	1	3	6	8	600
92119	ED	1	Bering United Methodist Church	13	2	1	1	3	6	6	600
92120	ED	1	Montrose Branch Houston Public Library	10	2	1	1	3	6	6	600
92121	ED	1	Trinity Lutheran Church Downtown	10	2	1	1	3	6	6	600
92126	ED	1	One Delta Plaza Educational Center	10	2	1	1	3	6	6	600
92130	ED	1	PNC Stadium	10	2	1	1	11	21	6	2108
92133	ED	1	Lanier Middle School	10	2	1	1	3	6	6	600
92135	ED	1	Saint Andrews Presbyterian Church	10	2	1	1	3	6	6	600
92136	ED	4	Saint Anne Catholic Church	12	2	1	1	3	6	6	600
92138	ED	1	Norton Memorial Temple Church of God In Christ	10	2	1	1	3	6	6	600
92140	ED	1	Toyota Center	10	2	1	1	3	6	6	600
92141	ED	2	Briscoe Elementary School	10	2	1	1	3	6	6	600
92142	ED	2	To Be Determined (Houston Federation of Teachers)	10	2	1	1	3	6	6	600
92143	ED	1	Courtyard by Marriott Houston Heights/I-10	9	2	1	1	3	6	6	600
				•	•		•	•	Projected Voters:		427163

Attachment 3 Election Day Vote Centers - 1122

Poll Codes	PCT	EV EVIdentifier	1122 Location	Address	Voting Room	City	Zip C
21042	0482	EV SRD150C	Above and Beyond Fellowship	20498 Rhodes Road	Foyer	Spring	77388
11037	0327	EV SRD139A	Acres Homes Multi Service Center	6719 West Montgomery Road	Auditorium	Houston	77091
71072	0487	EV SRD149B	Alief ISD Administration Building	4250 Cook Road	Room 750	Houston	77072
81063	0711	EV SRD149L	Alief ISD Center for Talent Development	14411 Westheimer Road	Room 200B	Houston	77082
41018	0081	EV SRD143A	Alvin D Baggett Community Center	1302 Keene Street	Conference Room	Galena Park	77547
21074	0411	EV SRD140B	BakerRipley East Aldine Campus	3000 Aldine Mail Route Road	Reunion Hall	Houston	77039
71060		EV SRD137B	Bayland Park Community Center	6400 Bissonnet Street	Auditorium	Houston	77074
51061		EV SRD143B	Baytown Community Center	2407 Market Street	Tejas Room	Baytown	77520
21119		EV SRD150B	Big Stone Lodge	709 Riley Fuzzel Road	Community Center	Spring	77373
31030		EV SRD142C	C. E. King 9th Grade Center	8530 C E King Parkway	Room 307	Houston	77044
72079	_		Chinese Civic Center	5905 Sovereign Drive	Foyer	Houston	77036
11072		EV SRD138C	City Jersey Village Municipal Government Center	16327 Lakeview Drive	Civic Center in Municipal Meeting Room	Houston	77040-2029
61033	0029		City of South Houston Municipal Court	1019 Dallas Street	Court Room	South Houston	77587
51013			Cleveland Ripley Neighborhood Center	720 Fairmont Parkway	Gym	Pasadena	77504
31066			Crosby Branch Library	135 Hare Road	Meeting Room	Crosby	77532
91122		EV SRD147E	Damascus Missionary Baptist Church	3122 Center Street	Fellowship Hall	Houston	77007
91122		EV SRD134I	Delmar Tusa Sports Complex	2020 Mangum Road Enter West 18th Street Entrance 2	reliowship hali	Houston	77092
91004		EV SRD134I	Denver Harbor Community Center	6402 Market Street	Atrium Area	Houston	77020-6840
51017		EV SRD143K	'			_	77505
			East Harris County Activity Center	7340 Spencer Highway	Big Room	Pasadena	77505
61012		EV SRD129E	El Franco Lee Community Center	9500 Hall Road	Auditorium	Houston	
51060		EV SRD128F	Evelyn Kennedy Civic Center	618 San Jacinto Street	Scout Room	La Porte	77571
11045			Fairfield Inn and Suites Houston NW Willowbrook	10825 North Gessner	Fairfield Ranch Meeting room	Houston	77064
21088			Fallbrook Church	12512 Walters Road	Brooks Sports Gym	Houston	77014
81054			First Congregational Church	10840 Beinhorn Road	Assembly Room	Houston	77024-3098
51051		EV SRD129X	Forest Bend Homeowners Association Inc	4300 Laura Leigh Drive	Meeting Room	Friendswood	77546
71074		EV SRD131P	Fountain of Life Center	14083 South Main Street	Assembly Room	Houston	77035
51028		EV SRD129U	Freeman Branch Library	16616 Diana Lane	Meeting Room	Houston	77062
91127		EV SRD134B	Girl Scouts of San Jacinto Council	3000 Southwest Freeway	Program Place for Girls Performance Area	Houston	77098
21102			Green House International Church	200 West Greens Road	Community Room	Houston	77067
81042			Hampton Inn and Suites Houston Katy	22055 Katy Freeway	Empire Room	Katy	77450
21085			Hardy Street Senior Citizens Center	11901 West Hardy Road	Auditorium	Houston	77076-1220
61011			Harris County Scarsdale Annex	10851 Scarsdale Boulevard	Room D-110	Houston	77089
71011	1037	EV SRD149H	HCC Alief Center	13803 Bissonnet Street	Auditorium Room 157	Houston	77083
31024	0454	EV SRD139H	HCC North Forest Campus	6010 Little York Road	Community Room	Houston	77016
91043	0154	EV SRD145C	HCC Southeast College Building D	6815 Rustic Street	Room 108	Houston	77087
71066	0570	EV SRD134W	HCC West Loop South	5601 West Loop South	C108 A & B	Houston	77081
21038	0631	EV SRD126C	HCPL Barbara Bush Branch	6817 Cypresswood Drive	Elliot Room	Spring	77379-7705
81046	0619	EV SRD132D	HCPL Maud Smith Marks Branch Library	1815 Westgreen Boulevard	Meeting Room	Katy	77450-5370
61050	0319	EV SRD131	Hiram Clarke Multi Service Center	3810 West Fuqua Street	Auditorium	Houston	77045-6402
11137	0121	EV SRD132C	Hockley Community Center	28515 Old Washington Road	Room ABC	Hockley	77447
31080	0674	EV SRD127E	Holiday Inn Express & Suites Atascocita	5619 FM 1960 East	Meeting Room	Humble	77346
11033	0056	EV SRD138M	Holiday Inn Express & Suites Houston Memorial - City Centre	10500 Katy Freeway	City Centre Room	Houston	77043
21021	1061	EV SRD150X	Hosanna Lutheran Church	16526 Ella Boulevard	Fellowship Hall	Houston	77090
21131		EV SRD145N	Houston Community College Northline	8001 Fulton Street	Room 115	Houston	77022
31082		EV SRD141U	Humble Civic Center	8233 Will Clayton Parkway	Meeting Rooms 1 - 4	Humble	77338
41030		EV SRD128D	J D Walker Community Center	7613 Wade Road	Large MultiPurpose Room	Baytown	77521-8338
11168		EV SRD138J	John Knox Presbyterian Church	2525 Gessner Road	Fellowship Hall	Houston	77080
91093		EV SRD134S	John P McGovern Texas Medical Center Commons	6550 Bertner Avenue	1st Floor	Houston	77030
11125		EV SRD132P	John Paul Landing Environmental Education Center	9950 Katy Hockley Road	Great Room #101	Cypress	77433
41001		EV SRD144J	John Phelps Courthouse	101 South Richey Street	Training Room	Pasadena	77506
11122			Juergens Hall Community Center	26026 Hempstead Highway	Dance Hall	Cypress	77429-7321
91032		EV SRD130C	Kashmere MultiService Center	4802 Lockwood Drive	Conference Room	Houston	77026-2941
		EV SRD132K	Katy Branch Harris County Public Library	5414 Franz Road	Meeting Room	Katy	77493-1717
		EV SRD132K	Kingwood Community Center	4102 Rustic Woods Drive	Auditorium B		77345-1350
			·			Kingwood	77379-2204
21030		EV SRD150K	Klein Multipurpose Center	7500 FM 2920	Rooms 402	Spring	
91134	U434	EV SRD134G	La Quinta Inn & Suites by Wyndham Houston Galleria Area	1625 West Loop South	Large Meeting Room	Houston	77027

Poll Codes	PCT EV	EVIdentifier	1122 Location	Address	Voting Room	City	Zip (
21010	1145 EV	SRD150L	Lone Star College Creekside	8747 West New Harmony Trail	Room 116	Tomball	77375
21113	0657 EV	SRD141L	Lone Star College North Harris	2700 WW Thorne Drive	Career and Skilled Trades Technology Center, Rooms 101/103	Houston	77073
11145	0848 EV	SRD139V	Lone Star College Victory Center	4141 Victory Drive	Room 102	Houston	77088
41033	0141 EV	SRD142Z	Martin Flukinger Community Center	16003 Lorenzo Street	Large Assembly Room	Channelview	77530
21028	0082 EV	SRD126M	Masjid AlSalam	16700 Old Louetta Road	Gym	Spring	77379
91065	0200 EV	SRD134M	Metropolitan MultiService Center	1475 West Gray Street	Gym	Houston	77019-4926
41016	0229 EV	SRD143C	Milton Lusk Activity Center	1022 Mercury Drive	Meeting Room	Houston	77029
		SRD149X	Mission Bend Islamic Center	6233 Tres Lagunas	Meeting Room	Houston	77083
91052	0206 EV	SRD145M	Moody Park Community Center	3725 Fulton Street	Main MultiPurpose Room	Houston	77009
31022	0010 EV	SRD143R	Neighborhood Centers Inc Ripley House Campus	4410 Navigation Boulevard	Gym	Houston	77011-1036
41005	0460 EV	SRD142W	North Channel Branch Library	15741 Wallisville Road	Meeting Room	Houston	77049-4607
21151	1070 EV	SRD140N	North East Community Center	10918 Bently Street	Meeting Room	Houston	77093
11061	0611 EV	SRD141C	Northeast Multi-Service Center	9720 Spaulding Street	Auditorium	Houston	77016
81024	0483 EV	SRD133	Nottingham Park Building	926 Country Place Drive	Meeting Room	Houston	77079
11123	0223 EV	SRD146T	NRG Arena	1 NRG Parkway	Hall D Gate 9	Houston	77054
11167	1097 EV	SRD126P	Prairie View A&M University Northwest	9449 Grant Road	Room 107	Houston	77070
71022	0462 EV	SRD131R	Raindrop Turkish House	9301 West Bellfort Boulevard	Turkistan Room	Houston	77031
11134	0790 EV	SRD135W	Richard and Meg Weekley Community Center	8440 Greenhouse Road	Room 200	Cypress	77433-5135
41046	0251 EV		Riley Chambers Community Center	808 1/2 Magnolia Avenue	Large Assembly Room	Crosby	77532
11112	300 EV	SRD130L	Saint John Lutheran Church and School	15235 Spring Cypress Road	Chapel	Cypress	77429
61031	0132 EV	SRD146C	Saint Philip Neri Catholic Church	10960 Martin Luther King Boulevard	Hospitality Room	Houston	77048-1896
21013	0529 EV	SRD130M	Samuel Matthews Park Community Center	1728 Hufsmith Road	Room A	Tomball	77375-4918
31072	0096 EV	SRD142G	San Jacinto College Generation Park	13455 Lockwood Road	Room G-2.125	Houston	77044
41041	0063 EV		San Jacinto Community Center	604 Highland Woods Drive	Art Room and Small Assembly Room	Highlands	77562-4546
11091	0323 EV	SRD148B	Sheraton Houston Brookhollow Hotel	3000 North Loop West Freeway	Jasmine I & II	Houston	77092-8810
91101	0235 EV	SRD147Z	Shrine of the Black Madonna Cultural and Event Center	5309 Martin Luther King Boulevard	The Red Room	Houston	77021
91109	0054 EV	SRD145J	SPJST Lodge Num 88	1435 Beall Street	Annex in back of main building	Houston	77008-3441
11003	0804 EV	SRD135S	Steve Radack Community Center	18650 Clay Road	Conference Room	Houston	77084
61059	0158 EV	SRD146S	Sunnyside Multi Service Center	9314 Cullen Boulevard	Classroom 186	Houston	77051
91009	0085 EV	SRD147T	Texas Southern University Terry Library	3100 Cleburne Street	Terry Library	Houston	77004
61045	0458 EV	SRD131C	The Collective-The Power Center	12401 South Post Oak Road	Green Room	Houston	77045-2020
11067	0966 EV	SRD148H	The Grand Tuscany Hotel	12801 Northwest Freeway	The Plaza	Houston	77040
61055	0630 EV	SRD131T	Tom Bass Park Community Center Section Three	15108 Cullen Boulevard	Auditorium	Houston	77047-6714
21009	0127 EV	SRD130T	Tomball Public Works Building	501B James Street	Training Room	Tomball	77375
		SRD137T	Tracy Gee Community Center	3599 Westcenter Drive	Art Rooms 1 & 2	Houston	77042
11158	0707 EV	SRD138S	Trini Mendenhall Community Center	1414 Wirt Road	Auditorium	Houston	77055-4917
51038	0391 EV	SRD129D	University of Houston Clear Lake	2700 Bay Area Boulevard	UH Clear Lake Bayou Building	Houston	77058
91010	0389 EV	SRD147U	University of Houston Student Center	4455 University Drive	Room 214 Space City	Houston	77004
91001	0369 EV	SRD001C	University of Houston-Downtown	201 Girard Street	GSB 307, Milam & Travis Rooms	Houston	77002
		SRD128V	Vera Brummet May Community Center	2100 Wolf Road	Room 118	Huffman	77336
		SRD127V	Victory Houston	809 West Road	Event Center	Houston	77038
			Webster Civic Center	311 Pennsylvania Avenue	Civic Center	Webster	77598-5230
		SRD147S	Wheeler Avenue Baptist Church	3826 Wheeler Avenue Building D	Fellowship Hall	Houston	77004-2604

Attachment 4 Election Day Vote Centers - 1122

Poll Codes	PCT	EV Party	1122 Location	Address	Voting Room	City	Zip CC
22075		D	1st Baptist Church North Houston	4422 Lauder Road	Gym	Houston	77039-3599 2
12153		D	A B Anderson Academy	7401 Wheatley Street	Hallway	Houston	77088-7845 1
12005		D	A Soirée Event Venue	18174 River Sage Drive	Ballroom	Houston	77084 4
62056	0867	D	Abiding Faith United Methodist Church	14300 Almeda School Road	Fellowship Hall	Houston	77047-7102 1
21042		V R	Above and Beyond Fellowship	20498 Rhodes Road	Foyer	Spring	77388 3
11037	0327		Acres Homes MultiService Center	6719 West Montgomery Road	Auditorium	Houston	77091 1
92066		D	African American Library	1300 Victor Street	Exhibit Hall	Houston	77019-5534 1
72068	0431	D	Al Noor Society of Houston	6443 Prestwood Drive	Prayer Room/Classroom	Houston	77081 4
72077		D	Albright Middle School	6315 Winkleman Road	Gym II	Houston	77083 4
22066		D	Aldine Middle School	14908 Aldine Westfield Road	Auditorium	Houston	77032-3097 2
72008	0338	D	Alexander Elementary School	8500 Brookwulf Drive	Gym	Houston	77072-3837 4
42036		D	Alice Johnson Junior High School	15500 Proctor Street	Boys Gym	Channelview	77530-2697 2
71072		V D	Alief ISD Administration Building	4250 Cook Road	Room 750	Houston	77072 4
81063			· · · · · · · · · · · · · · · · · · ·		Room 200B	_	77072 4
72003	_	-V D	Alief ISD Center for Talent Development	14411 Westheimer Road		Houston	77072-1104 4
	0487	- D	Alief Middle School	4415 Cook Road	Cafeteria	Houston	
41018			Alvin D Baggett Community Center	1302 Keene Street	Conference Room	Galena Park	77547 2
22086		D	American Legion Post No 586	708 East Parker Road	Stage	Houston	77076-3413 2
22124		K	Anderson Elementary School	6218 Lynngate Drive	Gym	Spring	77373-7356 3
72030		D	Andy Anderson Elementary School	5727 Ludington Drive	Annex	Houston	77035-4305 1
52033	0092	R	Armand Bayou Elementary School	16000 Hickory Knoll Drive	Gym	Houston	77059-5299 2
12093		D	Armandina Farias Early Childhood Center	515 East Rittenhouse Street	Cafeteria	Houston	77076 2
22004	0481	R	Arnold Middle School	11111 Telge Road	Cafeteria	Cypress	77429 3
52020	1095	R	Asbury United Methodist Church	5354 Space Center Boulevard	Sanctuary	Pasadena	77505 2
42026	0100	D	Ashbel Smith Elementary School	403 East James Street	Cafeteria	Baytown	77520-5065 2
82022	0395	R	Ashford Elementary School	1815 Shannon Valley Drive	Gym	Houston	77077-4901 4
82018	0625	R	Ashford United Methodist Church	2201 South Dairy Ashford Road	Sanctuary	Houston	77077 4
32003	1016	R	Atascocita Lutheran Church	7927 FM 1960	Fellowship Hall	Humble	77346 3
32012	0885	R	Atascocita Middle School	18810 West Lake Houston Parkway	Cafeteria	Humble	77346-3186 3
62048	0292	D	Audrey H Lawson Middle School	14000 Stancliff Street	Auditorium	Houston	77045-5328 1
12136	0124	R	Ault Elementary School	21010 Maple Village Drive	D148	Cypress	77433-5722 3
72051	0756	D	AW Jones EC/PK/K School	8003 Forest Point Drive	Gym	Humble	77338-1894 3
12143	0192	D	B T Washington High School	4204 Yale Street	Auditorium	Houston	77018-6545 1
52005	0242	D	Bailey Elementary School	2707 Lafferty Road	Cafeteria	Pasadena	77502-5194 2
92118		D	Baker Montessori School	2100 Yupon Street	Gym	Houston	77006-1830 1
21074		V D	BakerRipley East Aldine Campus	3000 Aldine Mail Route Road	Reunion Hall	Houston	77039 2
72075		D	BakerRipley Gulfton Sharpstown Campus	6500 Rookin Street	Reunion Hall	Houston	77074 4
12056		R	Barwood Home Owners Clubhouse	13003 Aste Lane	Clubroom	Houston	77065-2226 3
62029		D	Bastian Elementary School	5051 Bellfort Street	Multipurpose Room	Houston	77033-3826 1
52043			Bay Area Community Center	5002 East NASA Parkway	Grand Assembly Room	Seabrook	77586 2
71060			Bayland Park Community Center	6400 Bissonnet Street	Auditorium	Houston	77074 4
92007		D	Baylor College of Medicine Academy at Ryan Middle School	2610 Elgin Street	Girls Gym	Houston	77004 1
12087	0198	D	Baymont By Wyndham Houston Brookhollow	12439 Northwest Freeway	Meeting Room	Houston	77092 4
		D					
52065 52067	0682 0088	D D	Bayshore Baptist Church	11315 Spencer Highway	Gym Music Room	LaPorte	77571-4409 2 77571-6717 2
52067		K D	Bayshore Elementary School	800 McCabe Road 2407 Market Street	Music Room	La Porte	77520 2
		V D	Baytown Community Center		Tejas Room	Baytown	77520 2
42019		K	Baytown Junior High	7707 Bayway Drive	Cafeteria	Baytown	
32025	0454	D	Beebe Tabernacle Christian Methodist Episcopal	7210 Langley Road	Fellowship Hall West Wing	Houston	77016-2724 1
72050		К	Bellaire Civic Center	7008 South Rice Avenue	Civic Center	Bellaire	77401 1
62039		D	Bellfort Church of Christ	6606 Bellfort Street	Fellowship Hall	Houston	77087-6410 2
22092		D	Beneke Elementary School	3840 Briarchase Drive	Gym	Houston	77014-2755 1
92119		D	Bering United Methodist Church	1440 Harold Street	Community Room #108A	Houston	77006-3730 1
22014		R	Bernshausen Elementary School	11116 Mahaffey Road	Cafeteria	Tomball	77375-6908 3
12128		R	Berry Center of Northwest Houston	8877 Barker Cypress Road	Cypress Room	Cypress	77433 4
22059		D	Berry Elementary School	2310 Berry Road	Library	Houston	77093-7418 2
32047	0581	D	Bethany Baptist Church Fellowship Hall	7304 Homestead Road	Fellowship Hall	Houston	77028-3027 1
72032	0754	D	Bethels Place Community Empowerment Center	12660 Sandpiper Drive	Auditorium	Houston	77035-5382 1

Poll Codes	PCT E	V Party	1122 Location	Address	Voting Room	City	Zip CC
72059	0359	D	Betty Roberts Best Elementary School	10000 Centre Parkway	Gym	Houston	77036-8200 4
62006		D	Beverly Hills Community Center	10201 Kingspoint Road	Main MultiPurpose Room	Houston	77075 2
62015		R	Beverly Hills Intermediate School	11111 Beamer Road	Cafeteria/Foyer	Houston	77089-2305 2
21119	0897 E	V D	Big Stone Lodge	709 Riley Fuzzel Road	Community Center	Spring	77373 3
12024		R	Birkes Elementary School	8500 Queenston Boulevard	Library	Houston	77095-4784 3
22078		D	Black Elementary School	160 Mill Stream Lane	Front Foyer	Houston	77060-4199 2
22070		D	Blanson CTE High School	311 West Road	Gym	Houston	77038 2
12065	0125	R	Bleyl Middle School	10800 Mills Road	Library	Houston	77070-4499 3
52001		D	Bobby Shaw Middle School	1201 Houston Avenue	Gym	Pasadena	77502 2
72063	0284	D	Bonham Elementary School	8302 Braes River Drive	Main Entrance Foyer	Houston	77074-4212 4
82033	0129	R	Briargrove Elementary School	6145 San Felipe Street	Library	Houston	77057-2801 4
82035	0282	R	Briarmeadow Clubhouse	3203 Freshmeadows Drive	Clubhouse	Houston	77063-6231 4
22026		R	Bridgestone MUD Operations & Water Education Center	19720 Kuykendahl Road	Assembly Room	Spring	77379 3
22026		R	Brill Elementary School	9102 Herts Road	Gym	Spring	77379-6772 3
92141	0064	D	Briscoe Elementary School	321 Forest Hill Boulevard	Room 12-13 - Building B	Houston	77011 2
52084		D	Brookdale Clear Lake	780 West Bay Area Boulevard	Community Room	Webster	77598 2
92044		D	Brookline Elementary School	6301 South Loop 610 East	Library	Houston	77087-1012 2
52032		D	Brookwood Elementary School	16850 Middlebrook Drive	Great Hall	Houston	77059-4700 2
92072		D V	Bruce Elementary School	510 Jensen Drive	Library	Houston	77020-5834 1
92072		D	BUDDY'S	2409 Grant Street Suite A	STE D	Houston	77006 1
82003		D		12570 Richmond Avenue			
12082	0330	D	Budewig Intermediate School		Cafeteria	Houston	77082-2486 4
			Buffalo Creek Elementary School	2801 Blalock Road	Cafeteria	Houston	77080-2822 4
22050		D	Burbank Middle School	315 Berry Road	Auditorium	Houston	77022 2
72071	0431	D	Burnett Bayland Community Center	6000 Chimney Rock Drive	Main MultiPurpose Room	Houston	77081-4001 4
62020		D	Burnett Elementary School	11825 Teaneck Drive	Gym	Houston	77089-6120 2
31030			C. E. King 9th Grade Center	8530 C E King Parkway	Room 307	Houston	77044 1
22001	0399	D	Calvary Hills Funeral Home	21723 Aldine Westfield Road	Chapel	Humble	77338 1
22064		D	Calvert Elementary School	1925 Marvell Drive	Library	Houston	77032-2085 1
12044		D	Campbell Middle School	11415 Bobcat Road	Main entry hallway	Houston	77064 3
12139		R	Candlelight Park Community Center	1520 Candlelight Lane	Main MultiPurpose Room	Houston	77018-1852 1
12031	0903	R	Canyon Pointe Elementary School	13002 Northpointe Boulevard	Gym	Tomball	77377-5868 4
52046		R	Captain Inn and Suites Seabrook Kemah	2901 Nasa Parkway	Meeting Room	Seabrook	77586-3216 2
12095	0521	D	Cardiff Junior High	3900 Dayflower Drive	Gym Lobby	Katy	77449 4
22129		D	Carl Wunsche Senior High School	900 Wunsche Loop	Conference Center	Houston	77373 3
52016		R	Carol Teague Elementary School	4200 Crenshaw Road	Library	Pasadena	77504-3614 2
12076		D	Carverdale Park Community Center	9920 Porto Rico Road	Main MultiPurpose Room	Houston	77041-7536
52035	0306	R	CCISD Learner Support Center	2903 Falcon Pass	Computer Lab 1043	Houston	77062 2
92051	0078	D	CDA Internacional Church	5203 Fulton Street	Fellowship Hall	Houston	77009 2
42025	1031	R	Cedar Bayou Junior School	2610 Elvinta Street	Hallway Leading Into Auditrium	Baytown	77520-3826 2
22152	0113	R	Champions Community Church	13111 Bammel North Houston Road	Growth Track	Houston	77066 1
72005	0508	D	Chancellor Elementary School	4350 Boone Road	Room 157	Houston	77072-1999 4
12048	0687	R	Charles B Cook Middle School	9111 Wheatland Drive	Rehersal Room 530	Houston	77064-7044 3
92070	0079	D	Charles Eliot Elementary School	6411 Laredo Street	Room 40	Houston	77020-4930 2
42039	0251	D	Charles R Drew Elementary School	223 Red Oak Avenue	Gym	Crosby	77532-8660 3
52069	0211	D	Charlton Park Recreation Center	8200 Park Place Boulevard	Main MultiPurpose Room	Houston	77017 2
22062		R	Charterwood MUD Administration Activity Building	16444 Cutten Road	Big Room	Houston	77070 3
12172	0512	R	Chimney Hill Community Center	13720 Smokey Trail Drive	Main Room	Houston	77041 3
72079	0507 E	V D	Chinese Civic Center	5905 Sovereign Drive	Foyer	Houston	77036 4
72073		D	Chinese Community Center	9800 Town Park Drive	Rec Center	Houston	77036 4
82011	0626	R	Christ the Servant Lutheran Church	2400 Wilcrest Drive	Fellowship Hall	Houston	77042-2736 4
92008		D	Christian Hope Baptist Church	3418 Anita Street	Rosa Room/Fellowship Hall	Houston	77004 1
52037		R	Christ's Church	1401 Bay Area Boulevard	The Commons	Houston	77058 2
22108		R	Church of Christ in Champions	13902 Cutten Road	Family Center	Houston	77069-2299
		P.	Church on the Rock	433 Barker Cypress Road	Principal Hallway	Houston	77094 4
82001	11())41				I · · · · · · · · · · · · · · · · · · ·		
82001 42012	1029 0266	D	Cimarron Elementary School GPISD	816 Cimarron Street	Multipurpose Room	Houston	77015-4308 2

Poll Codes	PCT	EV Party	1122 Location	Address	Voting Room	City	Zip CC
52047	0090	R	City of El Lago City Hall	411 Tallowood Drive	Events Room	El Lago	77586-6060 2
52029	0307	R	City of Nassau Bay Council Chamber	1800 Space Park Drive No 200	Council Chambers	Nassau Bay	77058-3508 2
61033	0029 E	V D	City of South Houston Municipal Court	1019 Dallas Street	Court Room	South Houston	77587 2
12161	0116	R	City of Spring Valley City Hall	1025 Campbell Road	Council Chambers	Houston	77055-7495 3
22093	0678	D	Clark Elementary School	1825 Rushworth Drive	Gymnasium	Houston	77014-3642 1
22087	0105	D	Clark Park Community Center	9718 Clark Road	Main MultiPurpose Room	Houston	77076-5031 2
12079	0264	D	Clay Road Baptist Church	9151 Clay Road	Auditorium	Houston	77080-1695 4
62003	0474	R	Clear Brook High School	4607 FM 2351	Gym 3/Annex	Friendswood	77546-2823 2
52048	0393	D	Clear Lake Church of the Nazarene	14310 Galveston Road	Activity Center	Webster	77598 2
52036	0745	R	Clear Lake City Elementary School	1707 Fairwind	Room 210	Houston	77062 2
52041	0744	R	Clear Lake Intermediate School	15545 El Camino Real	Gym	Houston	77062-5794 2
52085	0748	D	Clear Lake Islamic Center	17511 El Camino Real	Community Hall	Houston	77058 2
51013	0793 E	V R	Cleveland Ripley Neighborhood Center	720 Fairmont Parkway	Gym	Pasadena	77504 2
12089		R	Clifton Middle School	6001 Golden Forest Drive	Multipurpose Room	Houston	77092-2359 1
42015	0164	D	Clinton Park Community Center	200 Mississippi Street	Main MultiPurpose Room	Houston	77029 1
62053	0271	D	Cloverland Park Bessie Swindle Community Center	11800 Scott Street	Main MultiPurpose Room	Houston	77047-1508 1
62030	0422	D	Codwell Elementary School	5225 Tavenor Lane	Cafeteria	Houston	77048-1739 1
52052		R	College Park Elementary School	4315 Luella Avenue	Foyer between Gym & Cafeteria	Deer Park	77536 2
22128		D	Comfort Inn & Suites FM1960-Champions	3555 Farm to Market 1960 Road	Meeting Room	Houston	77068 1
42044		R	Comfort Suites	7209 Garth Road	Meeting room	Baytown	77521-8706 3
22101		D	Conley Elementary School	3345 West Greens Road	LMC Room	Houston	77066-4920 1
22117		D	Cooper Elementary School	18655 Imperial Valley Drive	Cafeteria	Houston	77073-4608 1
12022	0789	R	Copperfield Church	8350 Highway 6 North	Room 300	Houston	77095-2002 3
82040	1054	R	Cornerstone Presbyterian Church	1351 Mason Road	Gym	Katy	77450 4
12059		D	Country Inn & Suites by Radisson, Houston Northwest	12915 Farm to Market 1960 Road West	Meeting Room	Houston	77065 3
82021	0504	R	Country Village Clubhouse	12042 Riverview Drive	Main Club House room	Houston	77077-3036 4
62005	0308	D	Courtyard by Marriott Houston Hobby	9190 Gulf Freeway	Pasadena Room	Houston	77017 2
82057		R	Courtyard by Marriott Houston Northwest	11050 Louetta Road	Cypress Meeting Room	Houston	77070 3
92076		D	Courtyard by Marriott West University	2929 Westpark Drive	Meeting Room	Houston	77005 1
92094		D	Courtyard Houston Medical Center/NRG Park	7702 Main Street	Meeting Room	Houston	77030 1
22011	1145	R	Creekside Park Junior High School	8711 Creekside Green Drive	LGI Room	The Woodlands	77375-1418 3
32057	0612	R	Creekwood Middle School	3603 West Lake Houston Parkway	Commons	Kingwood	77339-5216 3
92049	0002	D	Crockett Elementary School	2112 Crockett Street	Library in front of school	Houston	77007-3923 1
31066		V R	Crosby Branch Library	135 Hare Road	Meeting Room	Crosby	77532 3
32079		R	Crosby Church Afob	30673 Huffman Cleveland Road	Sanctuary	Huffman	77336 3
32065	0502	R	Crosby Kindergarten Center	805 Runneburg Road	Science Lab/Room 102	Crosby	77532 3
82052	0730	R	Crowne Plaza Houston Galleria	7611 Katy Freeway	Sycamore A	Houston	77024-2001 3
72021	0556	D	Cummings Elementary School	10455 South Kirkwood Road	Entrance Foyer	Houston	77099-5018 4
92014		D	Cuney Homes Community Center	3260 Truxillo Street	Community Room	Houston	77004-4649 1
72067	0345	D	Cunningham Elementary School	5100 Gulfton Street	Cafeteria	Houston	77081 4
12129		R	Cy Fair College Library at Lone Star	9191 Barker Cypress Road	Room 131 in Library	Cypress	77433-1383 3
12123		R	Cypress Crossing Christian Center	15751 Cypress Rosehill Road	Sanctuary and Lobby	Cypress	77429-7812 3
12118		R	Cypress Fairbanks Exhibit Center	11206 Telge Road	Classroom	Cypress	77429-3398 3
12054		R	Cypress Fairbanks Funeral Home	9926 Jones Road	Library	Houston	77065 3
12170		R	Cypress VFW Post 8905	21902 Northwest Freeway	Main Hall	Cypress	77429 3
22047		R	Cypressdale Clubhouse	4815 Elmbrook Drive	Clubhouse	Spring	77388-4935 3
22047	0874	R	Cypresswood Community Association Building	3705 Cypresswood Drive	Main Room	Spring	77388-5700 3
22043		D	Cypresswood Elementary School	6901 Cypresswood Point Avenue	Music Room	Humble	77338-3700 3
91122		V D	Damascus Missionary Baptist Church	3122 Center Street	Fellowship Hall	Houston	77007 1
62035	0036	D	Daniel Ortiz Middle School	6767 Telephone Road	Auditorium	Houston	77061-2056 2
42027		B B	De Zavala Elementary School	305 Tri City Beach Road	Kinder Pod	Baytown	77520-7313 2
52009		R	Deepwater Junior High School	501 Glenmore Drive	Gym	Pasadena	77503-1830 2
52009	0420	R R	Deer Park Community Center	610 East San Augustine Street	Room 12	Deer Park	77536-0700 2
52054	0420	D D	,				77536-0700 2
52054		D D	Deer Park ISD Education Support Center	2800 Texas Avenue 410 East 9th Street	Monarch A & B Rooms	Deer Park	
12174		K D	Deer Park Junior High School Deerfield Village Recreation Center		Gym	Deer Park	77536 2 77084-3204 4
121/4	UCOU	ĸ	Deerneid village Recreation Center	4045 Deerfield Village Drive	Clubhouse	Houston	77084-3204 4

Poll Codes	PCT EV	Party	1122 Location	Address	Voting Room	City	Zip CC
32060		R	Deerwood Elementary School	2920 Forest Garden Drive	Cafeteria	Kingwood	77345-1409 3
22114		D	Dekaney High School	22351 Imperial Valley Drive	Cafeteria	Houston	77073 1
	0809 EV	R	Delmar Tusa Sports Complex	2020 Mangum Road Enter West 18th Street Entrance 2	Side Entrance Hallway	Houston	77092 4
91073	0062 EV	D	Denver Harbor Community Center	6402 Market Street	Gym	Houston	77020-6840 2
32034	1025	R	Deussen Park Senior Center	12303 Sonnier Street	Auditorium	Houston	77044-7208 1
92040	0065	D	DeZavala Park Community Center	907 76th Street	Main MultiPurpose Room	Houston	77012-1199 2
22035	0601	R	Doerre Intermediate School	18218 Theiss Mail Route Road	Front Foyer	Spring	77379-6239 3
92030	0201	D	Dogan Elementary School	4202 Liberty Road	Library	Houston	77026 1
72020	0627	D	Douglas Smith Elementary School	11300 Stancliff Road	Main Entrance Foyer	Houston	77099-4298 4
32011	1038	R	Eagle Spring Elementary School	12500 Will Clayton Parkway	Cafeteria	Humble	77346-3006 3
51017	0352 EV	R	East Harris County Activity Center	7340 Spencer Highway	Big Room	Pasadena	77505 2
92025	0027	D	Eastwood Academy Charter High School	1315 Dumble Street	Community Room 120	Houston	77023-1902 2
92023	0011	D	Eastwood Park Community Center	5020 Harrisburg Boulevard	Main MultiPurpose Room	Houston	77011-4135 2
92027	0026	D	EB Cape Center	4501 Leeland Street	Room 131	Houston	77023-3010 2
82026	0095	R	Econolodge West Energy Corridor	715 Highway 6 South	Conference Room	Houston	77079-4003 4
72056	0311	D	Ed White Elementary School	9001 Triola Lane	Foyer	Houston	77036-6147 4
62026	0239	D	Edgewood Park Community Center	5803 Bellfort Street	Main MultiPurpose Room	Houston	77033-2143 1
92022	0069	D	Edison Middle School	6901 Avenue I	Gym	Houston	77011-2629 2
22027		R	Ehrhardt Elementary School	6603 Rosebrook Lane	Gym	Spring	77379 3
22025		D	Eickenroht Elementary School	15252 Grand Point Road	Stage	Houston	77090-6329 1
82050	0440	R	Eighth Church of Christ Scientist	11976 Memorial Drive	Sunday School Room and lobby	Houston	77024 3
22134	0723	D	Eiland Elementary School	6700 North Klein Circle Drive	Room 112/PCL	Houston	77088-1500 1
12149	0594	D	Eisenhower Senior High School	7922 Antoine Drive	Library	Houston	77088-4398 1
61012	0774 EV	D	El Franco Lee Community Center	9500 Hall Road	Auditorium	Houston	77089 1
82070	1111	R	Element Houston Katy	23653 Grande Centre Drive	Meeting Room A/B	Katy	77494 4
32054	0635	R	Elm Grove Elementary School	2815 Clear Ridge Drive	Cafeteria	Kingwood	77339 3
72045	0315	R	Elrod Elementary School	6230 Dumfries Drive	Cafeteria	Houston	77096-4603 4
72001	0487	D	Elsik Senior High school	12601 High Star Drive	N4 Hall	Houston	77072 4
92012	0198	D	Emancipation Park	3018 Emancipation Avenue	Cultural Center	Houston	77004-3159 1
92078	0896	D	Emanu El	1500 Sunset Boulevard	Feld Hall	Houston	77005 1
12009	0804	D	Emmanuel Episcopal Church	3785 Barker Cypress Road	Fellowship Hall	Houston	77084 4
12058	0518	R	Emmott Elementary School	11750 Steepleway Boulevard	Gym	Houston	77065-4366 3
51060	0561 EV	R	Evelyn Kennedy Civic Center	618 San Jacinto Street	Scout Room	La Porte	77571 2
22079	0423	D	Evelyn Thompson Elementary School	220 Casa Grande Drive	Room 143	Houston	77060-4899 2
12124	0111	R	Fairfield Baptist Church	27240 US 290	Worship Center Building - Lobby	Cypress	77433 3
11045	0597 EV	D	Fairfield Inn and Suites Houston NW Willowbrook	10825 North Gessner	Fairfield Ranch Meeting room	Houston	77064 3
12173	0768	R	Fairwood Recreation Center and Pool	14701 Spring Cypress Road	Clubhouse	Cypress	77429 3
92098	0215	R	Faith American Lutheran Church	4600 Bellaire Boulevard	Faith Center Gym	Bellaire	77401-4296 1
32019	0118	D	Fall Creek Elementary School	14435 Mesa Drive	Cafeteria	Humble	77396-4457 1
21088	0660 EV	D	Fallbrook Church	12512 Walters Road	Brooks Sports Gym	Houston	77014 1
32029	0168	D	Felix Cook Junior Elementary School	7115 Lockwood Drive	Computer Lab	Houston	77016-7027 1
42011	0375	D	Felix L Baldree Building	13828 Corpus Christi Street	Large Assembly Room	Houston	77015-3912 2
32077	0401	D	Fellowship of Enlightenment Church	9005 Wayside Drive	Kennedy Hall	Houston	77028 1
92111	0059	D	Field Elementary School	703 East 17th Street	Library	Houston	77008-4414 1
32070	0700	R	First Baptist Church Huffman Youth Center	25259 F M 2100 Road	Youth Center	Huffman	77336-4103 3
42017	0163	D	First Baptist Church of Jacinto City	10701 Wiggins Street	Gym	Jacinto City	77029-2515 2
22012	0529	R	First Baptist Church of Tomball	401 Oxford Street	Gym	Tomball	77375-4461 3
12096	0603	R	First Christian Church	22101 Morton Ranch Road	Fellowship Hall	Katy	77449 4
81054	0213 EV	R	First Congregational Church	10840 Beinhorn Road	Assembly Room	Houston	77024-3098 3
92063	0217	R	First Cumberland Presbyterian Church	2119 Avalon Place	Fellowship Hall	Houston	77019 4
12146	0467	D	First New Hope Bible Church	5400 West Mount Houston Road	Fellowship Hall	Houston	77088-1271 1
72031	0022	D	Foerster Elementary School	14200 Fonmeadow Drive	Cafeteria	Houston	77035-5218 1
72040	0337	D	Fondren Elementary School	12405 Carlsbad Street	Cafeteria	Houston	77085-1224 1
72039	0506	D	Fondren Park Community Building	11802 Mclain Boulevard	Meeting Room	Missouri City	77071-3334 1
32039	0205	D	Fonwood Elementary School	9709 Mesa Drive	Cafeteria	Houston	77078 1
51051	0378 EV	R	Forest Bend Homeowners Association Inc	4300 Laura Leigh Drive	Meeting Room	Friendswood	77546 2
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Poll Codes	PCT I	V Party	1122 Location	Address	Voting Room	City	Zip CC
52070	0221	D	Forest Oaks Baptist Church	1845 Forest Oaks Drive	Assembly Room/Fellowship Room	Houston	77017 2
32051	0469	R	Foster Elementary School	1800 Trailwood Village Drive	Library Enter Door #2	Kingwood	77339 3
71074	0337 E	V D	Fountain of Life Center	14083 South Main Street	Assembly Room	Houston	77035 1
22043	0539	R	Fox Elementary School	4800 Port Aegean Drive	Cafeteria	Spring	77388 3
12171	0548	D	Francone Elementary School	11250 Perry Road	Physical Education - Room 5	Houston	77064 3
22040	0880	R	Frank Elementary School	9225 Crescent Clover Drive	Gym	Spring	77379-8590 3
12050	0496	D	Frazier Elementary School CFISD	8300 Little River Road	PE room/Gym	Houston	77064-7904 1
62016	0476	D	Frazier Elementary School PISD	10503 Hughes Road	Foyer	Houston	77089-4530 2
12159	0179	D	Freed Park Clubhouse	6818 Shadyvilla Lane	Meeting Room	Houston	77055-5200 4
51028	0941 E	V D	Freeman Branch Library	16616 Diana Lane	Meeting Room	Houston	77062 2
52076		D	Freeman Elementary School	2323 Theta Street	Gym	Houston	77034-1250 2
52075	0280	D	Freeway Manor Baptist Church	2300 Rodney Street	Fellowship Hall	Houston	77034-1149 2
22017	0503	R	French Elementary School	5802 West Rayford Road	PLC Room	Spring	77389-2981 3
32083	0080	D	Furr High School	500 Mercury Drive	Auditorium	Houston	77013 2
12152	0109	D	G W Carver Contemporary High School	2100 South Victory Drive	Room 109	Houston	77088-7699 1
52044		R	G W Robinson Elementary School	451 Kirby Road	Gym	El Lago	77586 2
12138	0073	D	Garden Oaks Montessori	901 Sue Barnett Drive	Gym	Houston	77018 1
62034	0798	D	Garden Villa Park Community Center	6720 South Haywood Drive	Main MultiPurpose Room	Houston	77061-1514 2
52077	0289	D	Garfield Elementary School	10301 Hartsook Street	Front Hall/Main Hallway	Houston	77034-3596 2
52078	0755	D	Genoa Staff Development Center	12900 Almeda Genoa Road	Main Room	Houston	77034-4636 2
42031	0386	R	George H Gentry Junior High School	1919 East Archer Road	Auditorium	Baytown	77521-9310 2
22118		D	Ginger McNabb Elementary School	743 East Cypresswood Drive	Gym	Spring	77373 3
91127		V D	Girl Scouts of San Jacinto Council	3000 Southwest Freeway	Program Place for Girls Performance Area	Houston	77098 4
12047	0687	V D	Gleason Elementary School	9203 Willowbridge Park Boulevard	Art Room	Houston	77064-6304 3
62036		D D				_	
22072	0275		Glenbrook United Methodist Church	8635 Glen Valley Drive	Fellowship Hall	Houston	77061-2339 2 77038-1701 2
		D	Gloria B Sammons Elementary School	2301 Frick Road	Hallway near Common Area	Houston	
12003	0516	D	Glorious Way Church	11611 Champion Forest Drive	Main Lobby	Houston	77066-2740 1
72041	0281	D R	Godwin Park Community Center	5101 Rutherglenn Drive	Main MultiPurpose Room	Houston	77096 4
52011	0696		Golden Acres Elementary School	5232 Sycamore Avenue	Gym	Pasadena	77503-3950 2
62037		D	Golfcrest Elementary School	7414 Fairway Drive	Library	Houston	77087-3623 2
32055	0340	R	Good Shepherd Episcopal Church	2929 Woodland Hills Drive	Great Hall	Humble	77339-1496 3
12120	1022	R	Goodson Middle School	17333 Huffmeister Road	Auxiliary gym	Cypress	77429-6403 3
42028	0103	D	Goose Creek Memorial High School	6001 East Wallisville Road	Cafeteria	Baytown	77521 3
32021	0104	D	Grace Church International	5775 Little York Road	Fellowship Hall	Houston	77016 1
12178		R	Graceview Baptist Church	21206 Telge Road	Multipurpose Room	Tomball	77377 4
32042	0606	D	Greater Emmanuel Family Worship Center	3915 Kelley Street	The Hall	Houston	77026-1411 1
12073	0689	R	Greater Macedonia Baptist Church	5510 West Sam Houston Parkway North	Multipurpose Room	Houston	77041 3
32037	0832	D	Greater New Grove Christian Worship Center Church	7518 East Mount Houston Road	Sacntuary	Houston	77050 1
32026		D	Greater New Hope Missionary Baptist Church	10505 Bainbridge Street	Sanctuary	Houston	77016-3007 1
62021	0573	D	Greater New Testament Church	7409 Calhoun Road	Class Room	Houston	77033 1
62022		D	Greater Saint Matthew Church Southeast Campus	7701 Jutland Road	Gym	Houston	77033 1
72026		D	Greater Saint Matthew Church Southwest Campus	14919 South Main	Fellowship Hall	Houston	77035 1
21102	0358 E	_	Green House International Church	200 West Greens Road	Community Room	Houston	77067 1
42009		D	Green Valley Elementary School	13350 Woodforest Boulevard	Cafeteria	Houston	77015-2825 2
72033	0372	D	Gross Elementary School	12583 South Gessner Road	Cafeteria	Houston	77071 1
92064		D	H O A P V Community Building	1810 Bluebonnet Place Circle	Community Center	Houston	77019-2999 1
12117	0828	R	Hamilton Middle School	12330 Kluge Road	Perfomance Gym	Cypress	77429 3
	1112 E		Hampton Inn and Suites Houston Katy	22055 Katy Freeway	Empire Room	Katy	77450 4
21085	0321 E	V D	Hardy Street Senior Citizens Center	11901 West Hardy Road	Auditorium	Houston	77076-1220 2
12100	1103	D	Harris County Annex 57	19818 Franz Road Enter East side of Building	East side of Building	Katy	77449 4
92034	0144	D	Harris County Annex No 36	3815 Cavalcade Street	Meeting Room	Houston	77026-3403 1
22053	0078	D	Harris County Department of Education	6300 Irvington Boulevard	100C	Houston	77022-5618 2
61011	0996 E	V R	Harris County Scarsdale Annex	10851 Scarsdale Boulevard	Room D-110	Houston	77089 2
92003	0369	D	Harris County Sheriff's Office	701 North San Jacinto Street	Lobby & Secured Room	Houston	77002 2
92105	0235	D	Hartsfield Elementary School	5001 Perry Street	STEM Lab	Houston	77021-3515 1
	1095	R	Harvey Turner Elementary School	4333 Lily Street	Teachers' Lounge	Pasadena	77505-3735 2

Poll Codes	PCT	EV Party	1122 Location	Address	Voting Room	City	Zip CC
22031		R	Hassler Elementary School	9325 Lochlea Ridge Drive	Cafeteria	Spring	77379-3647 3
22046		R	Haude Elementary School	3111 Louetta Road	Gym	Spring	77388-4610 3
32056		R	HC Public Library Kingwood Branch	4400 Bens View Lane	Meeting Room	Kingwood	77339-3774 3
12037	0197	D	HCC Acres Homes Campus	630 West Little York Road	Electronic Resource Center/Room 138	Houston	77091 1
71011	1037 E	V D	HCC Alief Center	13803 Bissonnet Street	Auditorium Room 157	Houston	77083 4
82013	0559	D	HCC Alief Hayes Campus Building C	2811 Hayes Road	West Houston Institute	Houston	77042-3340 4
31024		V D	HCC North Forest Campus	6010 Little York Road	Community Room	Houston	77016 1
91043	0154 E	V D	HCC Southeast College Building D	6815 Rustic Street	Room 108	Houston	77087 2
71066	0570 E		HCC West Loop South	5601 West Loop South	Auditorium	Houston	77081 1
21038	_		HCPL Barbara Bush Branch	6817 Cypresswood Drive	Elliot Room	Spring	77379-7705 3
81046		_	HCPL Maud Smith Marks Branch Library	1815 Westgreen Boulevard	Meeting Room	Katy	77450-5370 4
12119	0519	R	HCPL Northwest Library	11355 Regency Green Drive	Meeting Room	Cypress	77429-4799 3
82006	_	D	Heflin Elementary School	3303 Synott Road	Gym	Houston	77082-4926 4
92115		D	Heights High School	560 East 14th Street	Bulldog Practice Gym	Houston	77008-7021 1
22024	0894	D	Helen Major Elementary School	16855 Sugar Pine Drive	Gym	Houston	77090-3626 1
92110		D	Helms Community Learning Center	503 West 21st Street	Cafeteria	Houston	77008-3641 1
52058		R	Heritage Elementary School	4301 East Boulevard	Gymnasium	Deer Park	77536-5646 2
62004		R	Heritage Park Baptist Church	2732 FM 528 Road	Fellowship Hall and Chapel	Webster	77598-4703 2
72043	_	R	Herod Elementary School	5627 Jason Street	Library	Houston	77096-2110 4
22052		D	Herrera Elementary School	525 Bennington Street	Gym	Houston	77022-4911 2
72010		D	Hicks Elementary School	8520 Hemlock Hill Drive	Cafeteria	Houston	77083 4
32058	0357		Hidden Hollow Elementary School	4104 Appalachian Trail	Cafeteria	Kingwood	77345-1099 3
12043		D.	High School Ahead Academy	5320 Yale Street	Library Front Entrance	Houston	77091-5730 2
12040	0157	D	Highland Park Recreation Center	3316 De Soto Street	Main MultiPurpose Room	Houston	77091-3716 1
42040	_	R	Highlands Elementary School GCCISD	200 East Wallisville Road	Gym	Highlands	77562-3896 2
12092	0494		Hill Elementary School	2625 West Mount Houston Road	Music Room	Houston	77038-3434 2
82025	0483	R	Hilton Garden Inn Houston Energy Corridor	12245 Katy Freeway	Energy 3 Room	Houston	77079 4
61050	_		Hiram Clarke Multi Service Center	3810 West Fugua Street	Auditorium	Houston	77079 4
32049	0519	D		·	Main MultiPurpose Room		77028-4632 1
62046		D	Hobart Taylor Park Community Center	8100 Kenton Street 4021 Woodmont Drive	Cafeteria	Houston Houston	77045-3515 1
11137			Hobby Elementary School Hockley Community Center	28515 Old Washington Road	Room ABC	Hockley	77447 4
92058		D D	, ,	-		·	77009-6009 1
	0674 E	V D	Hogg Middle School	1100 Merrill Street	Gym Machina Baom	Houston	77346 3
31080 52057		V K	Holiday Inn Express & Suites Atascocita	5619 FM 1960 East	Meeting Room San Jacinto Room	Humble Deer Park	77536 2
		K D	Holiday Inn Express & Suites Deer Park	201 West X Street			
11033 92004	0056 E	_	Holiday Inn Express & Suites Houston Memorial - City Centre	10500 Katy Freeway	City Centre Room	Houston	77043 3
		D	Holiday Inn Houston Downtown	1616 Main Street	Savoy Meeting Room	Houston	77002 1
22007	_	U	Holiday Inn Houston Intercontinental Airport Hotel	15222 John F Kennedy Boulevard	Trinity Ballroom 3	Houston	77032-2306 1
12080	0610	D	Hollibrook Elementary School	3602 Hollister Street	Library	Houston	77080-1899 4
82005		D	Holmquist Elementary School	15040 Westpark Drive	Cafeteria	Houston	77082-3900 4
12020	0651	K	Holmsley Elementary School	7315 Hudson Oaks Drive	PE room	Houston	77095-1149 4
52040		К	Hope Christian Reformed Church	770 Pineloch Drive	Gym	Houston	77062-2548 2
12132	0901	К	Hopper Middle School	7811 Fry Road	Performance gym	Cypress	77433-3284 3
72018		D	Horn Elementary School	10734 Bissonnet Street	Gym	Houston	77099 4
21021	1061 E	V D	Hosanna Lutheran Church	16526 Ella Boulevard	Fellowship Hall	Houston	77090 1
12157		D	Housman Elementary School	6705 Housman Street	Gymnasium	Houston	77055-2221 4
21131		:V D	Houston Community College Northline	8001 Fulton Street	Room 115	Houston	77022 2
12042	0324	R	Houston Liederkranz	5100 Ella Bloulevard	Main Ballroom	Houston	77018 1
82066		D	Houston Marriott West Loop by The Galleria	1750 West Loop South	Diamond Room	Houston	77027 4
82007		R	Houston Marriott Westchase	2900 Briarpark Drive	Grand Foyer	Houston	77042 4
32069		R	Huffman ISD Administrative Offices	24302 FM 2100	Board Room 101	Huffman	77336 3
31082	0108 E	_	Humble Civic Center	8233 Will Clayton Parkway	Meeting Rooms 1 - 4	Humble	77338 3
22006		D	Humble ISD Collaboration Center	10203 Birchridge Drive	Rooms 101	Humble	77346 3
32010		D	Humble Middle School	11207 Will Clayton Parkway	Cafeteria	Humble	77346-3005 3
82068	_	R	Hunters Creek Elementary School	10650 Beinhorn Road	Multipurpose Room	Houston	77024 3
22109		R	Huntwick Forest Clubhouse Recreational Facility	5300 Coral Gables Drive	INFORMAL ROOM	Houston	77069-3306 3
12097	0618	D	Hyatt Place Houston/Katy	1401 North Westgreen Boulevard	Meeting Room 1	Katy	77449 4

Poll Codes	PCT E	V Party	1122 Location	Address	Voting Room	City	Zip CC
92045	0071	D	IPSP	5525 Kansas Street	Fellowship Hall	Houston	77007-1110 4
22130		D	Iglesia Bautista Caminando con Jesus	6515 Eddie Drive	Fellowship Hall	Humble	77396 2
22073		D	Iglesia Bautista Libre	10331 Veterans Memorial Drive	Small Chapel	Houston	77038-1727 2
12001	0523	R	Iglesia Bautista Redencion	16155 Aspenglenn Drive	Main Hall/Fellowship Hall	Houston	77084-3545 4
12032	0120	R	Iglesia de Jesucristo Palabra Miel	1431 Brittmoore Road	Agape Fellowship Hall	Houston	77043 4
12046		D	Iglesia Trinidad Church	11602 Bobcat Road	Chapel	Houston	77064-3100 3
12169		R	Image Church	20402 Chappell Knoll Drive	Sanctuary Room	Cypress	77433 3
22051	0184	D	Independence Hall Apartments Community Room	6 Burress Street	Activities Room	Houston	77022-1944 2
12035	0195	D	Independence Heights Community Center	603 East 35th Street	Main MultiPurpose Room	Houston	77022 1
72023	0555	D	India House	8888 West Bellfort Street	Room 122	Houston	77031-2406 1
92042		D	Ingrando Park Recreation Center	7302 Keller Street	Main MultiPurpose	Houston	77012-3518 2
12004		D	ISGH Bear Creek Community Center	17250 Coventry Park Drive	Community Center	Houston	77084 4
41030	0250 E	V D	J D Walker Community Center	7613 Wade Road	Large MultiPurpose Room	Baytown	77521-8338 2
52039		R	J F Ward Elementary School	1440 Bouldercrest Drive	Great Hall	Houston	77062-2247 2
92028	0218	D	J P Henderson Elementary School	1800 Dismuke Street	Main Hall	Houston	77023-4753 2
52023		D	Jackson Intermediate School	1020 Thomas Avenue	Gym	Pasadena	77506 2
42024	0532	R	James Bowie Elementary School	2200 Clayton Drive	Auditorium	Baytown	77520-3643 2
62008		D	James DeAnda Elementary School	7980 Almeda Genoa Road	Music Room 111	Houston	77075-2006 2
82044	0522	R	James E Taylor High School	20700 Kingsland Boulevard	PAC Lobby	Katy	77450-2705 4
62054		D	James H Law Elementary School	12401 South Coast Drive	Cafeteria	Houston	77047-2736 1
62044		D	James Madison High School	13719 White Heather Drive	Auditorium	Houston	77045 1
12021	0616	R	Jan Hansen Aragon Middle School	16823 West Road	Library	Houston	77095-5503 3
72064		D.	Jane Long Academy Middle School	6501 Bellaire Boulevard	Auditorium	Houston	77074-6428 4
22054	0153	D	Janowski Elementary School	7500 Bauman Road	Annex building	Houston	77022-6125 2
62040		D	Jean Hines Caldwell Elementary School	5515 West Orem Drive	Community Room	Houston	77085 1
52064		D	Jennie Reid Elementary School	10001 West Fairmont Parkway	Cafeteria	LaPorte	77571-2904 2
52064	0348	R	Jensen Elementary School	3514 Tulip Street	Gym	Pasadena	77504 2
52012		D.	Jimmy Burke Activity Building	500 West 13th Street	Activity Center	Deer Park	77536-3172 2
12036	0122	D	John F Kennedy Elementary School	400 Victoria Drive	Multipurpose	Houston	77022-2422 1
11168			John Knox Presbyterian Church	2525 Gessner Road	Fellowship Hall	Houston	77080 3
92061	0046	D	John Marshall Middle School	1115 Noble Street	Library	Houston	77009-8437 2
91093					1st Floor		77030 1
11125	0624 E	V D	John P McGovern Texas Medical Center Commons	6550 Bertner Avenue 9950 Katy Hockley Road	Great Room #101	Houston Cypress	77433 4
41001		V K	John Paul Landing Environmental Education Center John Phelps Courthouse	101 South Richey Street	Training Room	Pasadena	77506 2
92041	0066	V D	,	·	-		
62027	0237		John R Harris Elementary School	801 Broadway Street 7414 Saint Lo Road	Cafeteria	Houston	77012-2124 2
12038		D D	Jones Future Academy Josie Ruth Smith School	5815 West Little York Road	Auditorium	Houston	77033-2731 1 77091-1199 1
	0450	D			Library	Houston	77396 1
32015			Journey of Faith UMC	130 Atascocita Road	Journey Room	Humble	
12102	0617 0540	D	Jowell Elementary School	6355 Greenhouse Road	Gym	Katy	77449-4382 4 77004-7322 1
92019		D D	Judson Robinson Junior Community Center	2020 Hermann Drive	Gym	Houston	
42006 72055		D D	Judson Robinson Junior Elementary School	12425 Woodforest Boulevard	Multipurpose Room 118	Houston	77013 2
			Judy Bush Elementary School	9730 Stroud Drive	Cafeteria	Houston	77036-5105 4
11122			Juergens Hall Community Center	26026 Hempstead Highway	Dance Hall	Cypress	77429-7321 3
92069		D	Julia C Hester House	2020 Solo Street	Auditorium	Houston	77020-4224 1
12016		D	Julia W Kahla Middle School	16212 West Little York Road	Performance Gym	Houston	77084-6509 4
32044		D	Kashmere High School	6900 Wileyvale Road	Multi-Purpose Room	Houston	77028 1
91032	0042 E	V D	Kashmere MultiService Center	4802 Lockwood Drive	Conference Room	Houston	77026-2941 1
72024		D	Kate Bell Elementary School	12323 Shaftsbury Drive	PE Room	Houston	77031-3123 4
12007		R	Katherine Tyra Branch Library	16719 Clay Road	Meeting Room	Houston	77084 4
11107	1086 E	V R	Katy Branch Harris County Public Library	5414 Franz Road	Meeting Room	Katy	77493-1717 4
12109		R	Katy Civic Center	910 Avenue C	Civic Center	Katy	77493-2403 4
52008		D	Keller Middle School	1711 Magnolia Street	Front Lobby	Pasadena	77503 2
62025		D	Kelso Elementary School	5800 Southmund Street	Cafeteria	Houston	77033-1832 1
42004	0354	D	Kenneth J Tice Elementary School	14120 Wallisville Road	Cafeteria	Houston	77049-4031 2
32043		D	Key Middle School	4000 Kelley Street	Auditorium	Houston	77026-1534 1
52059	0695	R	Kingsdale Recreation Center	2218 Kingsdale Street	Main Room	Deer Park	77536-5828 2

Poll Codes PCT EV Party	1122 Location	Address	Voting Room	City	Zip CC
82041 0522 R	Kingsland Baptist Church	20555 Kingsland Boulevard	Chapel	Katy	77450 4
31059 0459 EV R	Kingwood Community Center	4102 Rustic Woods Drive	Auditorium B	Kingwood	77345-1350 3
32081 0590 R	Kingwood Middle School	2407 Pine Terrace Drive	Cafeteria	Kingwood	77339 3
22094 0113 R	Kinsmen Lutheran Church	12100 Champion Forest Drive	Gym	Houston	77066 1
12053 0155 R	Kirk Elementary School	12421 Tanner Road	Cafeteria	Houston	77041 3
22029 0648 R	Kleb Intermediate School	7425 Louetta Road	Cafeteria	Spring	77379 3
21030 0876 EV R	Klein Multipurpose Center	7500 FM 2920	Rooms 402	Spring	77379-2204 3
22020 0672 R	Klein Oak High School	22603 Northcrest Drive	Auditorium Lobby	Spring	77389-4451 3
22098 0493 D	Klenk Elementary School	6111 Bourgeois Road	Cafeteria	Houston	77066-3903 1
32041 0374 D	Knights of Columbus Hall Council 5077	5309 Oates Road	Ballroom	Houston	77013-2850 2
22015 0245 R	Kohrville Elementary School	11600 Woodland Shore Drive	Gym	Tomball	77375-8098 3
12012 0621 D	Korean Central Presbyterian Church of Houston	14311 Park Row Drive	Cafeteria	Houston	77084-5695 4
12077 0689 D	Korean Christian Church of Houston	10410 Clay Road	Social Room	Houston	77041-8752 3
52007 0908 D	Korean First Baptist Church	4209 Red Bluff Road	Fellowship Hall	Pasadena	77503 2
22041 0853 R	Kuehnle Elementary School	5510 Winding Ridge Drive	Gym	Spring	77379-8899 3
42037 0220 R	L W Kolarik Education Center	1120 Sheldon Road	Library	Channelview	77530-3518 3
91134 0434 EV R	La Quinta Inn & Suites by Wyndham Houston Galleria Area	1625 West Loop South	Large Meeting Room	Houston	77027 4
12019 0800 R	Labay Middle School	15435 Willow River Drive	Main Hallway	Houston	77095 3
12075 0260 D	Lafaye Johnson Lee Elementary School	12900 West Little York Road	Gym Rear Entrance	Houston	77041-4212 3
32007 1016 R	Lake Houston Church of Christ	8003 Farmingham Road	FELLOWSHIP HALL	Humble	77346-2249 3
32008 0776 R	Lake Houston Church of the Nazarene	5616 FM 1960 Road East	Kids Worship Room	Humble	77346 3
32031 0964 R	Lakeshore Elementary School	13333 Breakwater Path Drive	Cafeteria/Gym	Houston	77044-1377 3
12062 0486 R	Lakewood Elementary School	15614 Gettysburg Drive	Cafeteria	Tomball	77377 3
32046 0401 D	Lakewood Park Community Center	8811 Feland Street	Multi-purpose Room	Houston	77028-2016 1
12155 0043 D	Landrum Middle School	2200 Ridgecrest Drive	Auditorium	Houston	77055-1212 4
92133 0060 D	Lanier Middle School	2600 Woodhead Street	Weight Room	Houston	77098-1615 1
72058 0296 R	Lansdale Park Community Center	8201 Roos Road	Main MultiPurpose Room	Houston	77036-6313 4
62009 1063 D	Laura Welch Bush Elementary School	9100 Blackhawk Boulevard	Front Hall/Foyer	Houston	77075-2250 2
12106 0639 R	Legacy Stadium	1830 Katyland Drive	Community Rooms	Katy	77493 4
22048 0500 R	Lemm Elementary School	19034 Joan Leigh Drive	Cafeteria	Spring	77388-5255 3
92060 0044 D	Leonel J Castillo Community Center	2101 South Street	Rooms 135 and 136	Houston	77009-8039 2
22107 0660 D	Lewis Elementary School	3230 Spears Road	Cafeteria	Houston	77067-5214 1
12002 0517 D	Lieder Elementary School	17003 Kieth Harrow Boulevard	PE room	Houston	77084 4
72017 1068 D	Liestman Elementary School	7610 Synott Road	Gym	Houston	77083-5199 4
12144 0197 D	Lincoln Park Community Center	979 Grenshaw Street	Gym	Houston	77088 1
22104 0549 D	Link Elementary School	2815 Ridge Hollow Drive	Gym	Houston	77067-1939 1
92087 0018 D	Linkwood Park Community Center	3699 Norris Drive	Main MultiPurpose Room	Houston	77025-3600 1
32048 0253 D	Little Union Missionary Baptist Church	6609 Letcher Drive	Education Room	Houston	77028-4029 1
22067 0780 D	Little York Volunteer Fire Station 81	10410 Airline Drive	Training Room	Houston	77037-1304 2
62052 0392 D	Living Faith Baptist Church	4310 Holloway Drive	Living Faith Fellowship Hall	Houston	77047-1119 1
52062 0471 R	Lomax Junior High School	9801 North Avenue L	Gymnasium	La Porte	77571 2
22018 0690 R	Londonderry Clubhouse	8331 London Way Drive	Main Area	Spring	77389-3363 3
21010 1145 EV R	Lone Star College Creekside	8747 West New Harmony Trail	Room 116	Tomball	77375 3
12094 0305 D	Lone Star College Cypress Center	19710 Clay Road	CY 106 and 107	Katy	77449 4
21113 0657 EV R	Lone Star College North Harris	2700 WW Thorne Drive	Career and Skilled Trades Technology Center, Rooms 101/103	Houston	77073 1
11145 0848 EV D	Lone Star College Victory Center	4141 Victory Drive	Room 102	Houston	77088 1
52082 0715 D	Lone Star Flight Museum	11551 Aerospace Avenue	Event Center Room156	Houston	77034 2
92056 0339 D	Looscan Elementary School	3800 Robertson Street	Hallway	Houston	77009-4959 2
92100 0235 D	Lora B Peck Elementary School	5001 Martin Luther King Boulevard	Cafeteria	Houston	77021-2711 1
92114 0736 D	Love Park Community Center	1000 West 12th Street	Gymnasium/Main Multipurpose Room	Houston	77008-6619 1
72044 0176 R	Lovett Elementary School	8814 South Rice Avenue	Data Room 317	Houston	77096-2622 1
92106 0180 D	M E Foster Elementary School	3919 Ward Street	Multi purpose rm	Houston	77021-4861 1
92016 0194 D	MacGregor Elementary School	4801 LaBranch Street	Cafeteria	Houston	77004-5650 1
	Mahanay Elementary School	13215 High Star Drive	Room 417-Gym	Houston	77083-1905 4
72015 1068 D					
72015 1068 D 82061 0569 D	Mandarin Immersion Magnet School	5445 West Alabama Street	Library	Houston	77056 4

Poll Codes	PCT	EV	Party	1122 Location	Address	Voting Room	City	Zip CC
			D	Martin Elementary School	11718 Hendon Lane	Room 164	Houston	77072-3416 4
41033	0141	EV	R	Martin Flukinger Community Center	16003 Lorenzo Street	Large Assembly Room	Channelview	77530 2
22077	0411	L	D	Mary Walke Stephens Elementary School	2402 Aldine Mail Route Road	Hallway	Houston	77039-5510 2
82067	0772	2	R	MAS Katy Center (Masjid Ar-Rahman)	1800 Baker Road	Gymnasium/multipurpose room	Houston	77094 4
21028	0082	EV	R	Masjid AlSalam	16700 Old Louetta Road	MPH Foyer	Spring	77379 3
22157	0958	3	D	Masjid Bilal	11815 Adel Road	Gymnasium	Houston	77067 1
92026	0072	2	D	Mason Park Community Center	541 South 75th Street	Mason Clubhouse	Houston	77023-2701 2
72019	0984	ļ	D	Mata Intermediate	9225 South Dairy Ashford Street	Cafeteria	Houston	77099 4
12060	0694	ļ	D	Matzke Elementary School	10002 Mills Road	Music room	Houston	77070 3
12011	1123	3	D	Mayde Creek High School	19202 Groeschke Road	Performing Arts Center (Lobby)	Houston	77084-5600 4
22111	0884	ļ	D	McDougle Elementary School	10410 Kansack Lane	Gym	Houston	77086 1
12103	1136	5	D	McFee Elementary School	19315 Plantation Cove Lane	PE Room	Katy	77449-4842 4
52010	0170)	D	McMasters Elementary School	1011 Bennett Drive	Library	Pasadena	77503-2205 2
22084	0321	L	D	Melrose Park Community Center	1001 Canino Road	Gym/Main Multipurpose Room	Houston	77076-1218 2
22095	0082	2	R	Memorial Chase Home Owners Association Clubhouse	9411 Landry Boulevard	Club House	Spring	77379-3857 3
82058	0273		R	Memorial Drive Elementary School	11202 Smithdale Road	Library	Houston	77024-6799 3
92047	0070)	R	Memorial Elementary School	6401 Arnot Street	Room 103	Houston	77007-2007 4
82055	0439	9	R	Memorial Middle School	12550 Vindon Drive	New Gymnasium	Houston	77024-4130 3
12014	1138	8	D	Metcalf Elementary School	6100 Queenston Boulevard	Gym	Houston	77084-6400 4
91065	0200	EV	D	Metropolitan MultiService Center	1475 West Gray Street	Gym	Houston	77019-4926 1
92091	0472	2	D	Michael E DeBakey High School for Health Professions	2545 Pressler Street	Room 148	Houston	77030 1
92068	0160)	D	Mickey Leland College Preparatory Academy for Young Men	1700 Gregg Street	Lecture Hall	Houston	77020 1
22123	0596	ò	D	Mildred Jenkins Elementary School	4615 Reynaldo Drive	Gym	Spring	77373-6821 3
72009	0429		D	Mildred Rickard Landis Elementary School	10255 Spice Lane	Gym Rm 302	Houston	77072-5035 4
12177	0481	L	R	Millsap Elementary School	12424 Huffmeister Road	PE Room	Cypress	77429 3
72037	0525	5	D	Milne Elementary School	7800 Portal Drive	Gymnasium	Houston	77071-1700 1
52074	0328	8	D	Milstead Middle School	338 Gilpin Street	Gym	Houston	77034 2
41016	0229	EV	D	Milton Lusk Activity Center	1022 Mercury Drive	Meeting Room	Houston	77029 2
71013	0647	EV	D	Mission Bend Islamic Center	6233 Tres Lagunas	Meeting Room	Houston	77083 4
82002	1126	ó	D	Mission Bend United Methodist Church	3710 South Texas 6	Sanctuary	Houston	77082 4
92055			D	Montie Beach Park Community Center	915 Northwood Street	Main MultiPurpose Room	Houston	77009-3703 2
92120	0123	3	D	Montrose Branch Houston Public Library	4100 Montrose Boulevard	Meeting Room	Houston	77006-4938 1
91052	0206	EV	D	Moody Park Community Center	3725 Fulton Street	Main MultiPurpose Room	Houston	77009 2
22149	0321	L	D	Moreno Elementary School	620 East Canino Road	Foyer	Houston	77037 2
92088	0139	9	D	Morning Star Assisted Living and Memory Care at River Oaks	2315 Richmond Avenue	Theater	Houston	77098 4
			D	Morton Ranch High School	21000 Franz Road	PAC Lobby	Katy	77449-5729 4
		_	D	Mount Moriah Missionary Baptist Church	15500 Vandalia Way	Fellowship Hall	Houston	77053-2128 1
92103			D	Mount Olive Baptist Church	3515 Yellowstone Boulevard	Fellowship Hall	Houston	77021-2407 1
92046			D	Mount Sinai Baptist Church Family Life Center	902 West 8th Street	Gym	Houston	77007-1408 1
42047	0251	_	D	Mt Rose COGIC, City of Refuge	13000 Crosby Lynchburg Road	Gym	Crosby	77532 3
92021			D	MultiCultural Center	951 Tristar Drive	Right Lobby	Webster	77598 2
42029			R	Navarre Funeral Home	2444 Rollingbrook Drive	Foyer	Baytown	77521 2
91022				Neighborhood Centers Inc Ripley House Campus	4410 Navigation Boulevard	Gym	Houston	77011-1036 2
52083			D	Nelda Sullivan Middle School	1112 Queens Road	Cafeteria	Pasadena	77502 2
32014			D	New Beulah E Johnson Elementary School	13901 Homestead Road	Room 733	Humble	77396 2
22100			D	New Destiny Praise and Worship Center	4170 West Greens Road	Main Room Worship	Houston	77066-4850 1
22103			D	New Light Christian Center	1535 Greensmark Drive	Sanctuary	Houston	77067 1
32028			D	New Mount Carmel Baptist Church	4301 Weaver Road	Fellowship Hall first Floor	Houston	77016-5634 1
			D	New Pleasant Grove Baptist Church	3221 Bain Street	Fellowship Hall	Houston	77026-4405 1
12010		_	D	New Westlake Volunteer Fire Department Station	19636 Saums Road	Meeting Room	Houston	77084-4732 4
32067			R	Newport Elementary School	430 North Diamondhead Boulevard	Gym	Crosby	77532-4103 3
22116			D	Nimitz High School	2005 W W Thorne Boulevard	Auditorium	Houston	77073-3301 1
12148		4	R	Nitsch Elementary School	4702 West Mount Houston Road	Parent Room 100	Houston	77088-3053 1
12064	0484	1	R	Norchester Clubhouse	13439 Jones Road	General Meeting Room	Houston	77070-3917 3
41005				North Channel Branch Library	15741 Wallisville Road	Meeting Room	Houston	77049-4607 1
21151	1070	EV	D	North East Community Center	10918 Bently Street	Meeting Room	Houston	77093 2

Poll Codes	PCT EV	Party	1122 Location	Address	Voting Room	City	Zip CC
32040		D	North Forest High School	10726 Mesa Drive	Gym	Houston	77078-1401 1
52031		R	North Pointe Elementary School	3200 Almond Creek Drive	Gym	Houston	77059-2812 2
42008		D	North Shore Elementary School	14310 Duncannon Drive	1502L	Houston	77015-2514 2
42007	0725	D	North Shore Middle School	120 Castlegory Road	Multipurpose Room	Houston	77015-1669 2
22019	0552	R	Northampton MUD Community Center	6012 Root Road	Main Room	Spring	77389-3779 3
12081	0310	R	Northbrook Middle School	3030 Rosefield Drive	Theater	Houston	77080-2610 3
12083		R	Northbrook Senior High School	1 Raider Circle South	Auditorium	Houston	77080-3995 3
22099	0468	D	Northcliffe Manor Community Center	12026 West Marsham Circle	Community Center	Houston	77066-4439 1
31061	0611 EV	D	Northeast Multi-Service Center	9720 Spaulding Street	Auditorium	Houston	77016 1
22120	0897	D	Northgate Crossing Elementary School	23437 Northgate Crossing Boulevard	Gym	Spring	77373-5687 3
12027		R	Northpointe Intermediate School	11855 Northpointe Boulevard	Cafeteria	Tomball	77377 3
42013		D	Northshore Friends Church	1013 Maxey Road	Sanctuary	Houston	77015-4809 2
12088	0498	D	Northwest Church of Christ	6720 West Tidwell Road	Fellowship Center	Houston	77092-1436 1
92138		D	Norton Memorial Temple Church of God In Christ	5008 Lucille Street	Fellowship Hall	Houston	77026 1
72007		D	Notre Dame Catholic Church Parish Hall	7720 Boone Road	Parish Hall	Houston	77072-3595 4
		D	Nottingham Park Building	926 Country Place Drive	Meeting Room	Houston	77079 4
11123			NRG Arena	1 NRG Parkway	Hall D Gate 9	Houston	77054 1
12140		R	Oak Forest Elementary School	1401 West 43rd Street	Multipurpose Room	Houston	77018-4106 1
32006		R	Oak Forest Elementary School Humble ISD	6400 Kingwood Glen Drive	Cafeteria	Humble	77346-2039 3
32004		R	Oaks Elementary School	5858 Upper Lake Drive	Gym	Humble	77346-1966 3
92142		D	Oates Elementary School	10044 Wallisville Road	Library	Houston	77013 2
22002		D	Ogden Elementary School	21919 Rayford Road	Music Room	Humble	77338 3
22076		D	Oleson Elementary School	12345 Vickery Street	Library	Houston	77039-3699 2
92126		D	One Delta Plaza Educational Center	3333 Old Spanish Trail	Hall of Fame #1	Houston	77021 1
12023		R	Owens Elementary School	7939 Jackrabbit Road	PE room	Houston	77095-2901 3
32016		D	Park Lakes Elementary School	4400 Wilson Road	Cafeteria	Humble	77396-2497 1
52006		R	Park View Intermediate School	3003 Dabney Drive	Choir Room	Pasadena	77502-5530 2
72047		D	Parker Elementary School	10626 Atwell Drive	Auditorium	Houston	77096-4925 4
52018		R	Parkgate Community Church	3715 Preston Avenue	Kix Building	Pasadena	77505-2012 2
82020		R	Parkway Place	1321 Park Bayou Drive	Auditorium/Chapel	Houston	77077-1507 4
52024		D	Pasadena High School	206 South Shaver Street	Front Office Foyer	Pasadena	77506-2016 2
12179		D	Patricia E. Paetow High School	23111 Stockdick School Road	Performing Arts Center Lobby	Katy	77493 4
82010		R	Paul Revere Middle School	10502 Briar Forest Drive	Hallway/Auditorium	Houston	77042-2338 4
52081		D	Pearl Hall Elementary School	1504 9th Street	Library	South Houston	77587-5000 2
52072		D	Pearl Rucker Elementary School	5201 Vinett Street	Gym	Houston	77017-4958 2
22080		D	Pep Mueller County Park Clubhouse	14750 Henry Road	Meeting Room	Houston	77060-5625 2
92083		R	Pershing Middle School	3838 Blue Bonnet Boulevard	Skyline Hallway	Houston	77025-1230 1
82034		D	Pilgrim Academy	6302 Skyline Drive	Library	Houston	77057-6902 4
92097		R	Pin Oak Middle School	4601 Glenmont Drive	Library	Bellaire	77401-2328 1
32005		R	Pine Forest Elementary School	19702 West Lake Houston Parkway	Cafeteria	Humble	77346-2000 3
82056		R	Pines Presbyterian Church	12751 Kimberley Lane	Fellowship Hall	Houston	77024 3
82038		D	Piney Point Elementary School	8921 Pagewood Lane	Gym	Houston	77063-5543 4
52086		D	Pipers Meadow Community Center	15920 Pipers View Drive	Community Center	Webster	77598-2550 2
72027		D	Platou Community Center	11655 Chimney Rock Road	Main MultiPurpose Room	Houston	77035-2807 4
92039		D	Pleasantville Elementary School	1431 Gellhorn Drive	Cafeteria	Houston	77029-3343 1
22150		D	Plummer Middle School	11429 Spears Road	Mini Gym/Practice Gym	Houston	77067 1
92130		D	PNC Stadium	2200 Texas Street	Concourse	Houston	77003 1
92096		D	Poe Elementary School	5100 Hazard Street	Front Hallway	Houston	77098-5330 1
52026		D	Pomeroy Elementary School	920 Burke Road	Gym	Pasadena	77506-5242 2
22022		D	Ponderosa Elementary School	17202 Butte Creek Road	Library	Houston	77090-2332 3
12133		R	Pope Elementary School	19019 North Bridgeland Lake Parkway	Music room	Cypress	77433-3468 3
12133		D	Postma Elementary School	18425 West Road	Gym	Cypress	77433-3408 3
	1097 EV		Prairie View A&M University Northwest	9449 Grant Road	Room 107	Houston	77070 3
92057		D					77009-5257 1
42003		D	Proctor Plaza Park Community Center Purple Sage Elementary School	803 West Temple Street 6500 Purple Sage Road	Main MultiPurpose Room Main Entry	Houston	77049-3800 2
12166		D D	Quality Suites Cy-Fair at Jones Road	17550 Northwest Freeway	Meeting Room	Houston Houston	77049-3800 2
12100	0223	U	Quality Julies Cy-1 all at Julies Rodu	17.330 NOI HIWEST LIEEMAY	INICECTIFIE VOOIII	Houston	77000 3

Poll Codes	PCT EV	Partv	1122 Location	Address	Voting Room	City	Zip CC
	0462 EV	_	Raindrop Turkish House	9301 West Bellfort Boulevard	Turkistan Room and Selcuk Room	Houston	77031 4
22005		D	Ramada Inn	6115 Will Clayton Parkway	Lilly and Lilac Room	Humble	77338-8127 1
12049		R	Ramona Bang Elementary School	8900 Rio Grande Drive	GYM	Houston	77064-7137 3
92020	0069	D	Raul C Martinez Annex	1001 SSGT Macario Garcia Drive	Room 204	Houston	77011 2
52071	0526	D	Raul Yzaguirre School for Success Tejano Center Building B	2950 Broadway Boulevard	Tejano Center for Community Concerns Board Room	Houston	77017-1794 2
82017	0510	D	Ray K Daily Elementary School	12909 Briar Forest Drive	Gym	Houston	77077 4
62024		D	Reagan Webb Mading Elementary School	8511 Crestmont Street	Cafeteria	Houston	77033 1
52025	0301	D	Red Bluff Elementary School	416 Bearle Street	Cafeteria	Pasadena	77506-3098 2
72029	0255	D	Red Elementary School	4520 Tonawanda Drive	Cafeteria	Houston	77035-3716 1
82004	0600	D	Rees Elementary School	16305 Kensley Drive	Gym	Houston	77082-2847 4
82069	0807	D	Residence Inn by Marriott Houston Westchase on Westheimer	9965 Westheimer	Conference Room	Houston	77042 4
92113	0902	R	Resurrection Metropolitan Community Church	2025 West 11th Street	Activities Building	Houston	77008-6320 4
62062	0158	D	Reynolds Elementary School	9601 Rosehaven Drive	Multi Purpose	Houston	77051-3132 1
92077	0361	D	Rice University-Welcome Center	6100 Main Street	Sewall Hall/Welcome Center	Houston	77005 1
72038	0525	D	Riceville Mount Olive Baptist Church Multi Purpose Building	11231 South Gessner Road	Multi Purpose	Houston	77071-2209 1
22106	0958	D	Richard and Kitty Spence Elementary School	1300 Gears Road	Library	Houston	77067-4204 1
11134	0790 EV	D	Richard and Meg Weekley Community Center	8440 Greenhouse Road	Room 300	Cypress	77433-5135 4
62007		D	Rick Schneider Middle School	8420 Easthaven Boulevard	Foyer	Houston	77075-1106 2
	0251 EV	D	Riley Chambers Community Center	808 1/2 Magnolia Avenue	Large Assembly Room	Crosby	77532 3
92067		R	River Oaks Elementary School	2008 Kirby Drive	Music Room	Houston	77019-6016 4
92090	0217	R	River Oaks Recreation Center	3600 Locke Lane	Main MultiPurpose Room	Houston	77027-4003 4
32018	-	D	River Pines Elementary School	2400 Cold River Drive	Cafeteria	Humble	77396-4290 3
32062		R	Riverwood Middle School	2910 High Valley Drive	Commons	Kingwood	77345-1852 3
52063		R	Rizzuto Elementary School	3201 Farrington Street	Cafeteria	La Porte	77571 2
62032	-	D	Robert L Frost Elementary School	5002 Almeda Genoa Road	Cafeteria	Houston	77048-4725 1
92092		D	Roberts Elementary School	6000 Greenbriar Drive	101c	Houston	77030 1
12180		R	Roberts Road Elementary School	24920 Zube Road	Gym	Hockley	77447 4
22060		D	Roderick Paige Elementary	7501 Curry Road	Parent Conference Room	Houston	77093 2
12069		R	Rolling Fork Club	9110 Rodney Ray Boulevard	Clubhouse	Houston	77040-1525 1
12006	-	R	Ronnie Truitt Middle School	6600 Addicks Satsuma Road	Auxiliary 530	Houston	77084-1520 4
12029		R	Rosehill Elementary School	17950 Waller Tomball Road	Gym Hallway	Tomball	77377-2622 4
92033		D	Ross Elementary School	2819 Bay Street	T-Building 32 Room T-2	Houston	77026-3203 1
22045		R	Roth Elementary School	21623 Castlemont Lane	Gym	Spring	77388-3860 3
32036		D	Royalwood Elementary School	7715 Royalwood Drive	Auditorium	Houston	77049-2314 2
12114		R	Royce Black Elementary School	14155 Grant Road	Gym	Cypress	77429-1398 3
	-	R	Rummel Creek Elementary School	625 Brittmoore Road	Library Kiva	Houston	77079-6101 4
92135		R	Saint Andrews Presbyterian Church	5308 Buffalo Speedway	Warren Family Center	Houston	77005-2122 1
92136	0217	R	Saint Anne Catholic Church	2140 Westheimer Road	Saint Basil Hall	Houston	77098 4
92053		D	Saint Anne de Beaupre Catholic Church	2810 Link Road	The Big Hall (Building 1)	Houston	77009 2
22110		R	Saint Dunstans Episcopal Church Parish Hall	14301 Stuebner Airline Road	Room 304/305	Houston	77069-3529 3
92018		D	Saint James Episcopal Church	3129 Southmore Boulevard	Parish Hall Building C	Houston	77004-6214 1
	0300 EV	R	Saint John Lutheran Church and School	15235 Spring Cypress Road	Chapel	Cypress	77429 3
92015	0085	D	Saint Luke the Evangelist Episcopal Church	3530 Wheeler Avenue	Parish Hall	Houston	77004-5527 1
92050		R	Saint Lukes Missionary Baptist Church	714 Detering Street	Fellowship Hall	Houston	77007-5195 4
82030		R	Saint Martin's Episcopal Church	717 Sage Road	Scout Center	Houston	77056 3
92017		D	Saint Marys Catholic Church	3006 Rosedale Street	Gym	Houston	77004-6199 1
12115		R	Saint Marys Episcopal Church	15415 North Eldridge Parkway	Room 106	Cypress	77429-2005 3
12070		D	Saint Matthews Catholic Church	9915 Hollister Drive	Auditorium	Houston	77040-1702 1
92054		D	Saint Patrick Catholic Church	4918 Cochran Street	Parish Hall	Houston	77009 2
12041		D	Saint Pauls Missionary Baptist Church	2516 Paul Quinn Street	Fellowship Hall	Houston	77091-4712 1
		D	Saint Philip Neri Catholic Church	10960 Martin Luther King Boulevard	Hospitality Room	Houston	77048-1896 1
22061		R	Saint Timothy Lutheran Church	14225 Hargrave Road	Adult Education Building	Houston	77070 3
12131		R	Salyards Middle School	21757 Fairfield Place Drive	Library	Cypress	77433-3196 3
52004		D	Sam Rayburn High School	2121 Cherrybrook Lane	Gym 1	Pasadena	77502-4101 2
12121		R	Sampson Elementary School	16002 Coles Crossing Drive North	PE Room	Cypress	77429-6981 3
21013		R	Samuel Matthews Park Community Center	1728 Hufsmith Road	Room A	Tomball	77375-4918 3
21013	223 24		center	1=: =3		1.5.115011	1

Poll Codes	PCT	EV Party	1122 Location	Address	Voting Room	City	Zip	СС
42010		R	San Jacinto College Central Campus Library	8060 Spencer Highway	C-21.101 Library Grand Hall	Pasadena	77505-5999	2
	0096	EV D	San Jacinto College Generation Park	13455 Lockwood Road	Room G-2.125	Houston	77044	1
	0063		San Jacinto Community Center	604 Highland Woods Drive	Art Room and Small Assembly Room	Highlands	77562-4546	3
72076	0335	D	San Mateo Episcopal Church	6635 Alder Drive #2	Parish Hall	Houston	77081	4
12105	_	D	Sandra Bales Walker Elementary School	6424 Settlers Village Drive	Gym	Katy	77449-6503	4
92071		D	Scroggins Elementary School	400 Boyles Street	Library	Houston	77020-5242	2
52045	0333	R	Seabrook Intermediate School	2401 North Meyer Road	Practice Gym	Seabrook	77586-2964	2
62038		D	Seguin Elementary School	5905 Waltrip Street	Multipurpose Room	Houston	77087	2
22055	0579	D	Sendero de la Cruz	513 West Rittenhouse Road	Sanctuary	Houston	77091-2404	2
92006	_	D	Settegast Park Community Center	3000 Garrow Street	Main MultiPurpose Room	Houston	77003-2326	2
32063	0758	D	Shadow Forest Elementary School	2300 Mills Branch Drive	Cafeteria	Kingwood	77345-2100	2
12034		D	Shadow Oaks Elementary School	1335 Shadowdale Drive	Flex Room 214	Houston	77043-4208	2
82023	0625	D	Shadowbriar Elementary School	2650 Shadowdale Drive	Multipurpose Room	Houston	77077-6000	1
22058		D	,		• •		77077-6000	2
		D	Shady Lane Park Community Center	10220 Shady Lane	Main MulitPurpose Room	Houston		2
32027		D	Shadydale Elementary School	5905 Tidwell Road	Front foyer	Houston	77016-4745	H
72057	0426	R	Sharpstown International School	8330 Triola Lane	Library	Houston	77036-6310	4
72053	0297	D	Sharpstown Park Community Center	6600 Harbor Town Drive	MultiPurpose Room 2	Houston	77036-4052	4
72049	0017	D	Shearn Elementary School	9802 Stella Link Road	Library	Houston	77025-4605	1
32035		D	Sheldon Elementary School	17203 Hall Shepperd Road	Library	Houston	77049-1049	1
32033	0096	D	Sheldon ISD Administration Building Network Operations Center	11411B CE King Parkway	Rooms 150 and 151	Houston	77044-7192	1
92085	0175	D	Sheltering Arms Community Center	3838 Aberdeen Way	Education Room	Houston	77025-2416	1
11091		EV D	Sheraton Houston Brookhollow Hotel	3000 North Loop West Freeway	Jasmine I & II	Houston	77092-8810	4
22112	0697	D	Shotwell Middle School	6515 Trail Valley Way	Mini Gym	Houston	77086-2024	1
91101	0235	EV D	Shrine of the Black Madonna Cultural and Event Center	5309 Martin Luther King Boulevard	The Red Room	Houston	77021	1
32020	0960	D	Sierra Meadows Apartments	9835 North Sam Houston Parkway East	Clubhouse Leasing/Community Room	Humble	77396-4637	1
92108	0902	D	Sinclair Elementary School	6410 Grovewood Lane	Library	Houston	77008	4
62019	0475	D	SJC South Campus Fine Arts Center Building 15	13735 Beamer Road Entrance B	Auditorium	Houston	77089	2
82015	0566	D	Sneed Elementary School	9855 Pagewood Lane	Room 305	Houston	77042-5523	4
62018	1116	D	South Belt Elementary School	1801 Riverstone Ranch Road	Front Area	Houston	77089-5724	2
62058	1006	D	South Early College High School	1930 Airport Boulevard	Multi Purpose Room	Houston	77051	1
52080	0029	D	South Houston Intermediate School	900 College Avenue	Front Foyer	South Houston	77587-4261	2
92099	0031	D	South Union Missionary Baptist Church Annex	3569 Lydia Street	Annex	Houston	77021	1
92082		R	Southside Place Park Clubhouse	3743 Garnet Street	Clubhouse/The Big Room	Houston	77005-3715	1
72012	0646	D	Southwest Community Christian Center	14880 Bellaire Boulevard	Gymnasium	Houston	77083	4
52030		D	Space Center Intermediate School	17400 Saturn Lane	Large Gym/Competition Gym	Houston	77058-4400	2
12113	1022	R	Spillane Middle School	13403 Woods-Spillane Boulevard	Performance gym	Cypress	77429	3
91109		FV D	SPJST Lodge Num 88	1435 Beall Street	Annex in back of main building	Houston	77008-3441	1
12086	_	R	Spring Branch Elementary School	1700 Campbell Road	Gymnasium	Houston	77080-7404	3
82049		R	Spring Branch Memorial Library	930 Corbindale Road	Meeting Room	Houston	77024	3
82053	0441	R	Spring Branch Middle School	1000 Piney Point Road	Auditorium	Houston	77024	2
22044		D	Spring Chateau	4010 FM 2920	Madison Square Room	Spring	77388-3229	2
22044		D	Spring Chateau Spring First Church		Youth Center - Sanctuary Hall	Spring	77388	2
		R D		1851 Spring Cypress Road	·			3
22090	0894		Spring ISD Child Nutrition and Training Center	15330 Kuykendahl Road	Training Theater	Houston	77014	1
22153	0883	D	Spring ISD Transportation Center	341 East Richey Road	Training Room A&B	Houston	77073	1
12084		K	Spring Woods Baptist Church	10131 Emnora Lane	Gym	Houston	77080	3
12085	0444	K	Spring Woods Middle School	9810 Neuens Road Enter 9700 Hammerly	ISS Room 930	Houston	77080-6498	3
12175		K	SpringHill Suites by Marriott Houston Northwest	20303 Chasewood Park Drive	Discovery C Room	Houston	77070	3
12052	0713	D	SpringHill Suites Northwest-Cypress	20350 Northwest Freeway	Salvador II	Houston	77065	3
42020	_	D	Sterling Municipal Library	1 Mary Elizabeth Wilbanks Avenue	Wilhite Meeting Room	Baytown	77520	2
11003	0804	EV D	Steve Radack Community Center	18650 Clay Road	Auditorium	Houston	77084	4
22039		R	Strack Intermediate School	18027 South Kuykendahl Road	Gym	Spring	77379-8199	3
42022		R	Stuart Career Tech High School	300 YMCA Drive	East Building Commoms	Baytown	77520	2
62017		D	Stuchbery Elementary School	11210 Hughes Road	Gym	Houston	77089-4636	2
72062	0938	D	Sugar Grove Academy	8405 Bonhomme Road	Gymnasium	Houston	77074	4
61059	0158	EV D	Sunnyside Multi Service Center	9314 Cullen Boulevard	Classroom 186	Houston	77051	1
01033								-

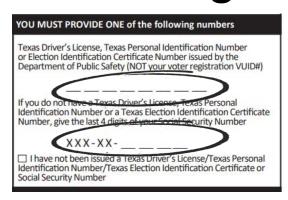
Poll Codes	PCT EV	Partv	1122 Location	Address	Voting Room	City	Zip
82014		_	Sunset Shadows Apartments Clubhouse	9850 Meadowglen Lane	Business Center	Houston	77042-4303
			Sunset United Methodist Church	709 Allendale Road	Gym	Pasadena	77502-3501
		D	Sylvan Rodriguez Jr Elementary School	5858 Chimney Rock Road	Community Center Room 907	Houston	77081-2715
82032	0435	R	T H Rogers School	5840 San Felipe Street	Orchestra Room	Houston	77057
32038	0371	D	Tabernacle of Praise Family Worship Center	8814 Tidwell Road	Main Sanctuary	Houston	77078
82060	0436	R	Tanglewood Middle School	5215 San Felipe Street	Gym	Houston	77056
91009	0085 EV	D	Texas Southern University Terry Library	3100 Cleburne Street	Terry Library	Houston	77004
22023	0550		The Abiding Word Lutheran Church and School	17123 Red Oak Drive	Narthex	Houston	77090-2600
52061	0561		The Academy of Viola De Walt	401 North 2nd Street	Gymnasium	La Porte	77571
61045	0458 EV		The Collective-The Power Center	12401 South Post Oak Road	South East South Wing	Houston	77045-2020
62047			The Crossing Community Church	3225 West Orem Drive	Crossing Life Center	Houston	77045-4603
82059	0730	R	The Forum at Memorial Woods	777 North Post Oak Road	Multipurpose Room	Houston	77024
		D	The Grand Tuscany Hotel	12801 Northwest Freeway	The Plaza	Houston	77040
32017			The Light of the World Christian Fellowship	16161 Old Humble Road	Auditorium	Humble	77396-3851
12176			The MET Church Student Ministry	12903 Jones Road	Studen Ministry Building-Foyer Area	Houston	77020
92084	0350		The Rice School	7550 Seuss Drive	Hallway/Auditorium	Houston	77025-2271
22148			The Victory International Church Houston	170 Rittenhouse Street	Gym	Houston	77076
22034			Theiss Elementary School	17510 Theiss Mail Route Road	Gym	Klein	77379-4615
12057			Thomas M Danish Elementary School	11850 Fallbrook Drive	Music room	Houston	77065-3508
22091			Thompson Elementary School	6121 Tierwester Street	Gymnasium	Houston	77021-1311
22156			Thompson Elementary School	12470 Walters Road	Gym	Houston	77014-2422
12099			Thornton Middle School	19802 Kieth Harrow Boulevard	Performance Gym	Katy	77449-4885
92024		_	Tijerina Elementary School	6501 Sherman Street	Cafeteria	Houston	77011
22154			Timber Lane Community Center	1904 Naplechase Crest Drive	Meeting Room A/B	Spring	77373
32013			Timbers Elementary School	6910 Lonesome Woods Trail	Cafeteria	Humble	77346-5016
12015		D.	Tipps Elementary School	5611 Queenston Boulevard	Gym	Houston	77084-6431
62061	0295	D	To Be Determined (Greater Lighthouse Church of God in Christ)	4514 Knoxville Street	Fellowship Hall	Houston	77051-2662
82028	0437	R	To Be Determined (Nottingham Elementary School)	570 Nottingham Oaks Trail	Gymnasium	Houston	77079-6399
82009	0356	R	To Be Determined (Walnut Bend Elementary School)	10620 Briar Forest Drive	Multipurpose Gym	Houston	77042-2320
	0630 EV	n.	Tom Bass Park Community Center Section Three	15108 Cullen Boulevard	Auditorium	Houston	77047-6714
			Tomball Intermediate School	723 West Main Street	Auditorium	Tomball	77375
	0127 EV	• •	Tomball Public Works Building	501B James Street	Training Room	Tomball	77375
12068			TownePlace Suites by Marriott Houston Northwest/Beltway 8	8845 West Road	Meeting Room	Houston	77064
92140			Toyota Center	1510 Polk Street	VIP A and B	Houston	77002
			Tracy Gee Community Center	3599 Westcenter Drive	Art Rooms 1 & 2	Houston	77042
92059			Travis Elementary School HISD	3311 Beauchamp Street	Library	Houston	77009-6613
12156			Treasure Forest Elementary School	7635 Amelia Road	Cafeteria	Houston	77055-1737
12101			Tri-County Baptist Church	5715 Peek Road	Fellowship Hall	Katy	77449
	0707 EV		Trini Mendenhall Community Center	1414 Wirt Road	Auditorium	Houston	77055-4917
42048			Trinity Episcopal Church	5010 North Main Street	Fellowship Hall	Baytown	77521
92013			Trinity Episcopal Church Trinity Episcopal Church	1015 Holman Street	Fellowship Hall	Houston	77004-3810
92013		_	Trinity Episcopai Church Trinity Lutheran Church Downtown	800 Houston Avenue	Gym	Houston	77004-3810
12013			True Grace Bible Church	17370 West Little York Road	Sanctuary	Houston	77007
92031			Tuffly Park Community Center				77084-6301
22122			Twin Creeks Middle School	3200 Russell Street 27100 Cypresswood Drive	Multi-purpose Room	Houston Spring	77026
22122			ULH Event Center	331 United Leuva Circle	Gym	Spring	77373-6300
22155			Ulrich Intermediate School		Ballroom	Houston	77060
82031			Unity of Houston	10103 Spring Cypress Road 2929 Unity Drive	Library	Houston	77070-6417
			,	·	Santuary		
	017.	••	University Baptist Church	16106 Middlebrook Drive	Chapel	Houston	77059-6034 77058
	0391 EV		University of Houston Clear Lake	2700 Bay Area Boulevard	UH Clear Lake Bayou Building	Houston	
	0389 EV		University of Houston Student Center	4455 University Drive	Room 214 Space City	Houston	77004
	0369 EV		University of Houston-Downtown	201 Girard Street	GSB 307, Milam & Travis Rooms	Houston	77002
12160			Valley Oaks Elementary School	8390 Westview Drive	Library	Houston	77055-6738
72034		D	Valley West Elementary School	10707 South Gessner Road	Cafeteria	Houston	77071
12108		K	Venture Christian Church	25133 Lakecrest Manor Drive	Lobby Room	Katy	77493
31084	700 EV	R	Vera Brummet May Community Center	2100 Wolf Road	Room 118	Huffman	77336

Poll Codes	PCT EV	Party	1122 Location	Address	Voting Room	City	Zip C
	0595 EV	•	Victory Houston	809 West Road	Event Center	Houston	77038
72054	0567	D	Vietnamese Community Center	7100 Clarewood Drive	Main Hall	Houston	77036-4402
52014	0347	R	Vincent Miller Intermediate School	1002 Fairmont Parkway	Gym	Pasadena	77054
42035	0719	R	Viola Cobb Elementary School	915 Dell Dale Street	Cafeteria	Channelview	77530
82047	0119	R	Voss Project Center at Gerald D. Young Agricultural Sciences Center	5801 Katy Hockley Cut Off Road	Voss Project Center	Katy	77493
52073	0329	D	W I Stevenson Middle School	9595 Winkler Drive	Library	Houston	77017-5921
12090	0505	D	Wainwright Elementary School	5330 Milwee Street	Cafeteria	Houston	77092-6655
82037	0298		Waldo Emerson Elementary School	9533 Skyline Drive	Dance Room	Houston	77063-5215
12150	0147	D	Walter and Inez Stovall EC/PK/K School	3025 Ellington Street	Library	Houston	77088-4599
12142	0927	D	Waltrip High School	1900 West 34th Street	ISS Room	Houston	77018-6186
12127		R	Warner Elementary School	10400 Warner Smith Boulevard	505 Art Room	Cypress	77433
		R	Wayne C. Schultz Junior High School	20950 Field Store Road	Auditorium Lobby	Waller	77484
62010		R	Weber Elementary School	11955 Blackhawk Boulevard	Gym	Houston	77089
	0750 EV		Webster Civic Center	311 Pennsylvania Avenue	Civic Center	Webster	77598-5230
72036			Welch Middle School	11544 South Gessner Road	Auditorium	Houston	77071
22127		R	Wells Middle School Auxiliary Gym	4033 Gladeridge Drive	Gym	Houston	77068
12039		D	Wesley Elementary School	800 Dillard Street	Cafeteria	Houston	77091-2301
82016		R	West Briar Middle School	13733 Brimhurst Drive	Auditorium Hallway	Houston	77077
32071		R	West Campus Gym	24403 East Lake Houston Parkway	Gym	Huffman	77336-4447
12018		D	West Houston Church of Christ	17100 West Road	Gym	Houston	77095
92080		R	West University Community Building and Senior Center	6104 Auden Street	Auditorium	Houston	77005-2814
92081			West University Confindintly Building and Senior Center West University Scout House	6108 Edloe Street	Clubhouse	Houston	77005-2814
		D	Westbrook Intermediate School	302 West El Dorado Boulevard	Library	Friendswood	77546-1724
72046		D.	Westbury Baptist Church	10425 Hillcroft Street	Game Room in Family Life Center	Houston	77096-4798
72046		D	Westbury Senior High School	11911 Chimney Rock Road	Library	Houston	77035
		ט	Westfield Volunteer Fire Station 2	11255 Bentley Street	Bay 1	Houston	77093-2752
82048		R	Westland Baptist Church	1407 West Grand Parkway South	,		77494
92074				,	Gym	Katy	
			Wheatley Senior High School	4801 Providence Street	Auditorium	Houston	77020-7235
	0390 EV	D	Wheeler Avenue Baptist Church	3826 Wheeler Avenue Building D	Fellowship Hall	Houston	77004-2604
32009		ט	Whispering Pines Elementary School	17321 Woodland Hills Drive	Cafeteria	Humble	77346-3001
12028		K	Wildwood Elementary School	13802 Northpointe Boulevard	Cafeteria	Tomball	77377-2442
12051		ט	Willbern Elementary School	10811 Goodspring Drive	PE Room	Houston	77064-9419
42023		K	William B. Travis Elementary	100 Robin Road	Main Hallway	Baytown	77520
72065		D	William S Sutton Elementary School	7402 Albacore Drive	Parent room R12	Houston	77074-6512
52002		D	Williams Elementary School	1522 Scarborough Lane	Gym	Pasadena	77502-1674
12071		D	Willie B Ermel Elementary School	7103 Woodsman Trail	Library	Houston	77040-1839
32061		R	Willow Creek Elementary School in Humble ISD	2002 Willow Terrace Drive	Cafeteria	Humble	77345-1785
72028		D	Willow Meadows Baptist Church	4300 West Bellfort Street	Gym	Houston	77035-3602
62043		D	Windsor Village Community Center	14441 Croquet Lane	Main MultiPurpose Room	Houston	77085-3352
22121		K -	Winship Elementary School	2175 Spring Creek Drive	Cafeteria	Spring	77373-6199
82071		R	Wisdom High School	6529 Beverly Hill Street	Event Lobby	Houston	77057
12135		R	Woodard Elementary School	17501 Cypress North Houston	Music Room	Cypress	77433-5246
32032		D	Woodcreek Middle School	14600 Woodson Park Drive	University Way	Houston	77044-4492
12126		R	Woodie Coker Andre Elementary School	8111 Fry Road	PE Room	Cypress	77433
42014		D	Woodland Acres Elementary School	12936 Sarahs Lane	Room 103	Houston	77015-6396
		R	Woodland Hills Elementary	2222 Tree Lane	Cafeteria	Kingwood	77339
		D	Woodland Park Community Center	212 Parkview Street	Gym	Houston	77009
62051		D	Woodson Elementary School	10720 Southview	Cafeteria	Houston	77047
12154		R	Woodview Elementary School	9749 Cedardale Drive	Cafeteria	Houston	77055
12162		R	World Changers Church Houston	7934 Highway 6 North	Fellowship Hall Building	Houston	77095
82039		R	World Theater	1012 South Mason Road	Community Hall	Katy	77450
22056		D	Worsham Elementary School	3007 Hartwick Road	Library	Houston	77093
12055	0980	R	Wortham Village Clubhouse	10911 Wortham Boulevard	Clubhouse	Houston	77065
62057	0158	D	Worthing High School	9215 Scott Street	Gymnasium	Houston	77051
22132	0451	R	Yeager Elementary School	13615 Champion Forest Drive	PE Room	Houston	77069
22132							77072

Poll Codes PCT EV Party	1122 Location	Address	Voting Room	City	Zip CC
22016 0452 R	Zwink Elementary School	22200 Frassati Way Drive	Gym	Spring	77389-1417

Exhibit 82

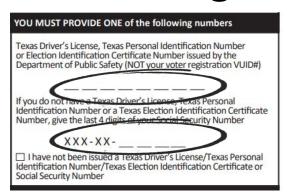
Don't Forget Your ID Numbers!



In Box 1 of the Application for Ballot by Mail, you must provide at least one of the required ID numbers.

We recommend providing both.

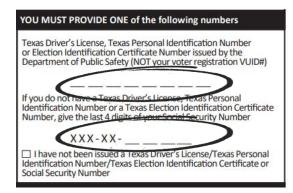
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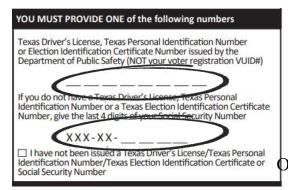
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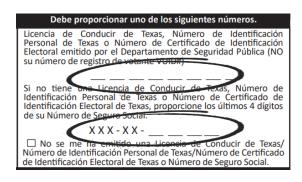
Don't Forget Your ID Numbers!



In Box 1 of the Application for Ballot by Mail, you must provide at least one of the required ID numbers.

We recommend providing both. OCA-APPX-1333

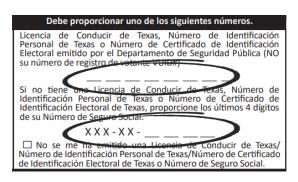
No Olvides Tu Número de Identificación!



En el Cuadro 1 de la Solicitud de Boleta por Correo, debe usted proveer al menos uno de los números de ID requeridos.

Nosotros recomendamos que escriba los dos.

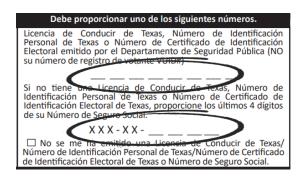
No Olvides Tu Número de Identificación!



En el Cuadro 1 de la Solicitud de Boleta por Correo, debe usted proveer al menos uno de los números de ID requeridos.

Nosotros recomendamos que escriba los dos.

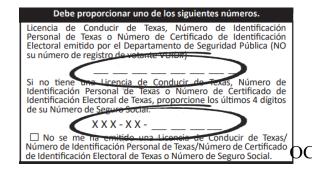
No Olvides Tu Número de Identificación!



En el Cuadro 1 de la Solicitud de Boleta por Correo, debe usted proveer al menos uno de los números de ID requeridos.

Nosotros recomendamos que escriba los dos.

No Olvides Tu Número de Identificación!



En el Cuadro 1 de la Solicitud de Boleta por Correo, debe usted proveer al menos uno de los números de ID requeridos.

Nosotros recomendamos que escriba Aosphos₁₃₃₄ 064.134767

Don't Forget Your ID Numbers!

Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number Issued by the Texas Department of Public Safety (NOT your Voter Registration VUID II) (Número de licencia de conducir de Texas o Número de Identificación Personal o Certificado de Identificatión Electoral expedida por el Departamento de Seguridad Pública de Texas) (NO Es el número de El. Registro Electoral VUIDII)	(0)	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number (Si no tiene licencia de conducir de Texas o Número de Identificación Personal o Certificado de Identificación Electoral expecida por el Departamento de Seguridad Pública de Texas, proporcione los 4 últimos digitos de objecto de Segurio Social XXX - XX -	OR (O)	I have not been issued a Texas Driver's License o Texas Personal identification Card or Texas Election (dentification Certificate or a Social Security Numbe (No me han expedido una licencia de conducir de Texa o Número de identificación Personal o Certificado di dientificación Electroal expedida por el Departamento di Seguridad Pública de Texas ni un número de Seguro Socia
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Under the flap on your purple and white carrier envelope, where it says "Required Information", you must provide at least one of the required ID numbers. **We recommend providing both.**

Don't Forget Your ID Numbers!



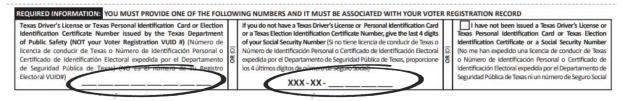
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Don't Forget Your ID Numbers!



Under the flap on your purple and white carrier envelope, where it says "Required Information", you must provide at least one of the required ID numbers. We recommend provided by 150 th 150 t

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Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number Issued by the Texas Department of Public Safety (NOT your Voter Registration VUID R) (Número de licencia de conducir de Texas o Número de Identificación Personal o Certificado de Identificatión Electoral expedida por el Departamento de Seguridad Pública de Texas) (NO Es el número de E. Registro Electoral VUID#)	OR (O)	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number (Si no tiene licencia de conducir de Texas o Número de Identificación Personal o Certificado de Identificación Electoral expedida por el Departamento de Seguridad Pública de Texas, proporcione los 4 últimos digitos de número de Seguridad Pública de Texas, proporcione los 4 últimos digitos de número de Segurio Social)	OR (O)	I have not been issued a Texas Driver's License of Texas Personal Identification Card or Texas Election (dentification Certificate or a Social Security Numbe (No me han expedido una licencia de conducir de Texa o Número de Identificación Personal o Certificado di didentificación Electroral expedida por el Departamento di Seguridad Pública de Texas ni un número de Seguro Socia
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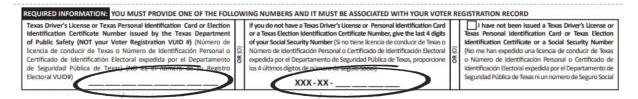
Bajo la solapa del sobre de envío color morado y blanco, en donde dice "Información Requerida", debe usted proveer al menos uno de los números de ID requeridos. **Nosotros recomendamos que escriba los dos.**

No Olvides Tu Número de Identificación!



Bajo la solapa del sobre de envío color morado y blanco, en donde dice "Información Requerida", debe usted proveer al menos uno de los números de ID requeridos. **Nosotros recomendamos que escriba los dos.**

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Exhibit 83



Harris縣選務辦公室訊息

選民必須盡快寄回郵遞選票,以確保他們的選票被計算在內。 選民有三種選擇交回選票



1. 郵寄方式

我們建議您在選舉日前至少 7 天郵寄您的選票。 **寄回已標記選票所需的郵費:1 頁需要 1 個forever郵票**, 2-4 **頁需要 2** 個forever郵票。

2. 親自交回選務辦公室

在選舉日選民可以在上午 7 點至晚上 7 點親自交回選票到 NRG Arena, Hall D, One NRG Parkway, Houston TX 77054。 請注意,只有選民本人方可以親自交回郵遞選票,並且必須出示可接受附有照片的身份證明。

3. 經一般或合約郵件镁號員

郵遞選票若由一般或合約送件員郵寄或交回,但沒有郵戳或交付收據必須在選舉日晚上 7:00 前送回提前投票辦公室。如果承運人提供的收據標記証明接收時間在選舉日晚上 7:00 之前,郵遞選票必須在選舉日後的第一個工作日下午 5:00 前送抵辦公室。

欲了解更多資訊,請訪問 HarrisVotes.com/Voter/Vote-by-Mail

把信封密封前

須填妥於信封蓋底紅框格中所要求的 身份証明號碼。

您提供的號碼必須與已登記的號碼相符。如果您不記得您曾用那種身份証明註冊,請填寫兩個號碼。

密封信封後·在封蓋上方的空間簽 名。

REQUIRED INFORMATION: YOU MUST PROVIDE ONE OF THE FOLLOWING NUMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER REGISTRATION 你必須提供以下其中一個赊碼,此號碼必須是你會穩使用作選民登記的號碼。								
Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number issued by the Texas Department of Public Safety (NOT your Voter Registration VIUID 步 由德州公共安全部門發出的德州駕照號碼或德州個人身分證號碼或選舉證號碼(並非你的選民登記VUID號碼)	8	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number 如你沒有德州駕熙或個人身份證號碼或德州選舉正號碼,請提供你的社會安全保障號碼均最後四個數字	OR (O)	□ I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Security Number 本人沒有獲發德州駕照或德州個人份證或德州選舉証製碼或社會安全保障號碼				
CONTACT INFORMATION: Phone: WHA資料: 電話:		Email: 電郵:						



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在選舉日選民可以在上午 7 點至晚上 7 點親自交回選票到 NRG Arena, Hall D, One NRG Parkway, Houston TX 77054。 請注意,只有選民本人方可以親自交回郵遞選票,並且必須出示可接受附有照片的身份證明。

3. 經一般或合約郵件送號員

郵遞選票若由一般或合約送件員郵寄或交回,但沒有郵戳或交付收據必須在選舉日晚上 7:00 前送回提前投票辦公室。如果承運人提供的收據標記証明接收時間在選舉日晚上 7:00 之前,郵遞選票必須在選舉日後的第一個工作日下午 5:00 前送抵辦公室。

欲了解更多資訊,請訪問 HarrisVotes.com/Voter/Vote-by-Mail

把信封密封前

須填妥於信封蓋底紅框格中所要求的 身份証明號碼。

您提供的號碼必須與已登記的號碼相符。如果您不記得您曾用那種身份証明註冊,請填寫兩個號碼。

密封信封後·在封蓋上方的空間簽 名。

REQUIRED INFORMATION: YOU MUST PROVIDE ONE OF THE FOLLOWIN 你必須提供以下其中一個赎碼,此號碼必須接收以下其中一個赎碼,此號碼必須接收以下其中一個赎碼,也號碼必須接收以下其中一個赎碼,也號碼。 Texas Different Certificate Number issued by the Texas Department of Public Safety (NOT your Voter Registration VIUD 词)由德州公共安全部門發出的德州駕照號碼或德州個人身分證號碼或選舉證號碼(並非你的選民整語VIUD號碼)	須是	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4		□ I have not been issued a Texas Driver's License o Texas Personal Identification Card or Texas Election Identification Certificate or Social Security Number 本人沒有獲發德州駕熙或德州個人份證或德州選 舉証號碼或社會安全保障號碼
			Ш	
CONTACT INFORMATION: Phone: 聯絡資料: 電話:		Email:		



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			XXX - XX	П				
	CONTACT INFORMATION: Phone:	_	Email:					
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VOTE FLEETINGS

MENSAJE POR PARTE DE LAS ELECCIONES DEL CONDADO DE HARRIS

Es importante que los votantes devuelvan su boleta de voto por correo lo antes posible para asegurarse de que su voto sea contado. Los votantes tienen tres opciones para devolver su boleta:



1. DEVOLVER POR CORREO

Le recomendamos enviar su boleta por correo al menos 7 días antes del Día de las Elecciones. Estampillas requeridas para devolver su boleta marcada: 1 página requiere 1 estampilla forever, y 2-4 páginas requieren 2 estampillas forever.

2. DEVOLVER EN PERSONA A LA OFICINA DE ELECCIONES

Los votantes pueden devolver su boleta en persona de 7 a.m. a 7 p.m. el día de las elecciones. **Las boletas deben ser entregadas en NRG Arena, Hall D, One NRG Parkway, Houston TX 77054.** Por favor, tenga en cuenta que sólo el votante puede entregar su propia boleta por correo y debe tener una forma aceptable de identificación con fotografía.

3. POR CONTRATO O TRANSPORTISTA COMÚN

Una boleta que sea enviada por correo o entregada por un transportista común o contratado, pero que no tenga un matasellos o recibo de entrega, debe ser recibida por el secretario de votación temprana antes de las 7:00 p.m. del día de las elecciones. Si el transportista proporciona una marca que indica una hora antes de las 7:00 p.m. del día de las elecciones, debe ser recibida antes de las 5:00 p.m. del primer día hábil después del día de las elecciones.

Para más información, visite HarrisVotes.com/Voter/Vote-by-Mail

ANTES DE SELLAR SU SOBRE

Llene la información de identificación requerida delineada en rojo debajo de la ceja del sobre.

El número que proporcione **DEBE** coincidir con el que tenemos registrado en la oficina. Si no puede recordar con qué número se registró, le sugerimos que llene ambos campos.

Después de sellar el sobre, firme en el espacio sobre la ceja.

			UMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER REGISTRATION S NÚMEROS Y DEBE ESTAR ASOCIADO CON SU REGISTRO DE VOTANTE	d	
	Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number issued by the Texas Department of Public Safety (NOT you'voler Registration VIUI #) Licencia de conducir de Texas o tarjeta de identificación personal de Texas o número de certificado de identificación electoral emitido por el Departamento de Seguridad Publica de Texas (NO su #de registro de votante (VUID))	OR (O)	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number Si no tiene una licencia de conducir de Texas o número de identificación personal de Texas, proporcione los ultimos 4 digitos de su número de Seguro Social XXX - XX -	OR (O)	I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Certificate or Social Security Number No se me ha expedido una licencia de conducir de Texas/Número de Identificación Personal o Número de seguro social.
۱	CONTACT INFORMATION: Phone:		Email:		
1	INFORMACIÓN DE CONTACTO: Teléfono:		Correo electrónico:		



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l	CONTACT INFORMATION: Phone:	_	Email:	_				
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LỜI NHẮN NHỦ TỪ TY BẦU CỬ QUÂN HAT HARRIS

Điều quan trọng đối với các cử tri là phải gửi lại lá phiếu bầu bằng thư càng sớm càng tốt để bảo đảm rằng lá phiếu của quý vị được tính. Các cử tri có ba cách để gửi lại phiếu bầu của họ:



1. GỬI LẠI BẰNG ĐƯỜNG BƯU ĐIỆN

Chúng tôi khuyến khích quý vị nên gửi phiếu bầu của quý vị ít nhất 7 ngày trước Ngày Bầu Cử. **Bưu phí cần thiết để gửi lại lá phiếu đã** đánh dấu của quý vị: 1-trang yêu cầu 1 forever stamp, và 2-4 trang yêu cầu 2 forever stamps.

2. ĐÍCH THÂN NÔP LAI TAI VĂN PHÒNG BẦU CỬ

Các cử tri có thể đích thân nộp lại lá phiếu của họ từ 7 giờ sáng - 7 giờ tối vào Ngày Bầu Cử. Các phiếu bầu phải được chuyển đến NRG Arena, Sảnh D, One NRG Parkway, Houston TX 77054. Xin lưu ý rằng chỉ có cử tri mới có thể giao lại phiếu bầu bằng thư của chính họ và phải có giấy căn cước có hình được chấp nhận.

3. HÃNG ĐƯA THƯ THÔNG THƯỜNG HOẶC HÃNG ĐƯA THƯ THEO HỢP ĐỒNG

Một phiếu bầu được gửi qua đường bưu điện hoặc được gửi bởi một hãng đưa thư thông thường hoặc theo hợp đồng, nhưng không có dấu bưu điện hoặc biên nhận giao thư phải được nhận bởi nhân viên bầu cử sớm trước 7 giờ tối vào Ngày Bầu Cử. Nếu hãng đưa thư cung cấp một biên lai cho biết thời gian trước 7 giờ tối vào Ngày Bầu Cử, lá phiếu phải được nhận trước 5 giờ chiều vào ngày làm việc đầu tiên sau Ngày Bầu Cử.

Để biết thêm thông tin xin vui lòng truy cập HarrisVotes.com/Voter/Vote-by-Mail

TRƯỚC KHI DÁN NẮP PHONG BÌ CỦA QUÝ VI

Điền đầy đủ thông tin Căn Cước yêu cầu bên trong đường viền màu đỏ dưới nắp phong bì.

Số quý vị cung cấp PHẢI phù hợp với những gì văn phòng có trong hồ sơ. Nếu quý vị không nhớ được là đã ghi danh bằng số nào, nên điền cả hai.

Sau khi quý vị dán nắp phong bì, hãy ký tên vào khoảng trống bên trên nắp.

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	Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number issued by the Texas Department of Public Safety NOT your Voler Registration VIID #9 Bằng Lái Xe Texas hoặc Thẻ Căn Cước Cá Nhân Texas hoặc Số Chứng Nhận Căn Cước Bấu Cử cấp bởi Số An Toàn Công Cộng Texas (KHÔNG PHẢI số Ghi Danh Cử Trí VUID của quý ví)	OR (O)	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 diglist of your Social Security Number Nếu quý vị không sở hữu một Bằng Lái Xe Texas hoặc Thẻ Cần Cước Cá Nhân hoặc Số Chúng Nhận Cân Cước Bắu Cử, hảy cung cấp 4 số cuối của Số An Sinh Xã Hội cứa quý vị XXX - XX -	OR (O)	☐ I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Card Security Number Tôi chua được cấp bằng lấi xe Texas hoặc Thẻ Cân Cước Cấ Nhân Texas hoặc Giấy Chứng Nhận Cân Cước Bầu Cử hoặc 5ố An Sinh Xã Hội
l	CONTACT INFORMATION: Phone:		Email:		
ı	THÔNG TIN LIÊN LẠC: Số Điện Thoại:		Fmail:		



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Sau khi quý vị dán nắp phong bì, hãy ký tên vào khoảng trống bên trên nắp.

		JMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER REGISTRATIO Ó SAU ĐÂY VÀ SỐ ĐỐ PHẢI ĐƯỢC LIÊN KẾT VỚI VIỆC GHI DANH CỬ		CŮA QUÝ Vị
Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number issued by the Texas Department of Public Safety (NOT your Voler Registration VIUD #) Bằng Lái Xe Texas hoặc Thẻ Căn Cước Cá Nhân Texas hoặc Số Chứng Nhận Căn Cước Bấu Cử cấp bởi Số An Toàn Công Cộng Texas (KHÔNG PHÁI số Ghi Danh Cừ Tri VUID của quý vị)	OR (O)	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number Néu quý vị không sở hữu một Bằng Lái Xe Texas hoặc Thẻ Căn Cước Cá Nhân hoặc Số Chúng Nhận Cân Cước Bấu Cử, hãy cung cấp 4 số cuối của Số An Sinh Xã Hội của quý vị XXX - XX -	OR (O)	☐ I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Cardificater or Social Security Number Tôi chua được cấp bằng lấi xe Texas hoặc Thẻ Cân Cước Cấ Nhân Texas hoặc Giấy Chứng Nhận Cân Cước Bầu Cử hoặc Số An Sinh Xã Hội
CONTACT INFORMATION: Phone:		Email:		
THÔNG TIN LIÊN LẠC: Số Điện Thoại:	_	Email:		



MESSAGE FROM HARRIS COUNTY ELECTIONS

It is important for voters to return their mail ballot as soon as possible to ensure that their vote is counted. Voters have three options to return their ballot:



1. RETURN BY MAIL

We recommend mailing your ballot at least 7 days prior to Election Day.

Postage required to return your marked ballot: 1-page requires 1 forever stamp, and 2-4 pages require 2 forever stamps.

2. RETURN IN PERSON TO ELECTIONS OFFICE

Voters can return their ballot in person from 7 a.m. - 7 p.m. on Election Day. **Ballots must be delivered to NRG Arena, Hall D, One NRG Parkway, Houston TX 77054.** Please note that only the voter may hand deliver their own mail ballot and must have an acceptable form of photo identification.

3. BY COMMON CONTRACT OR CARRIER

A ballot that is mailed or delivered by a common or contract carrier, but does not have a postmark or delivery receipt must be received by the early voting clerk by 7:00 p.m. on Election Day. If the carrier provides a receipt mark indicating a time before 7:00 p.m. on Election Day, it must be received by 5:00 p.m. on the first business day after Election Day.

For more information please visit HarrisVotes.com/Voter/Vote-by-Mail

BEFORE SEALING YOUR ENVELOPE

Fill out the required ID information outlined in red under the envelope flap.

The number you provide MUST match what is on file. If you can't remember which number you registered with, fill both out.

After you seal the envelope, sign in the space over the flap.

_					
ſ	REQUIRED INFORMATION: YOU MUST PROVIDE ONE OF THE FOLLOWIN	IG N	UMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER REGISTRATION	ı	
	Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number issued by the Texas Department of Public Safety (NOT your Voter Registration VUID #)	OR (O)	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number	OR (O)	I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Certificate or Social Security Number
			XXX-XX		
I	CONTACT INFORMATION: Phone:	_	Email:		



MESSAGE FROM HARRIS COUNTY ELECTIONS

It is important for voters to return their mail ballot as soon as possible to ensure that their vote is counted. Voters have three options to return their ballot:



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BEFORE SEALING YOUR ENVELOPE

Fill out the required ID information outlined in red under the envelope flap.

The number you provide **MUST** match what is on file. If you can't remember which number you registered with, fill both out.

After you seal the envelope, sign in the space over the flap.

REQUIRED INFORMATION: YOU MUST PROVIDE ONE OF THE FOLLOWING NUMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER REGISTRATION					
	Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number is sued by the Texas Department of Public Safety (NOT your Voter Registration VUID #)	OR (O)	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number	OR (O)	☐ I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Certificate or Social Security Number
			XXX-XX	П	
	CONTACT INFORMATION: Phone:	_	Email:	_	
	O C 4 A DDV 10.40				
	UCA-APPX-1343				

Exhibit 84

Application for a Ballot by Mail

If someone helps you complete this form or mails, emails or faxes this form for you, that person must complete the Witness/Assistant Box 6 below. If you email or fax this form to the Early Voting Clerk, you must also send the original hardcopy to the Early Voting Clerk. If you are faxing or emailing this form on or near the deadline to apply for a Ballot by Mail, you must send the original hardcopy so that the Clerk receives it no later than the fourth business day after the day the Clerk received your email or fax. Original signatures are required on both the fax or email image and the physical hard copy. Electronic signatures are not permitted. THE HARDCOPY OF THIS APPLICATION MUST BE RECEIVED BY THE EARLY VOTING CLERK AND MEET ALL LEGALLY REQUIRED DEADLINES. Please read the instructions on the back of this form completely. If you have any questions, please call the Early Voting Clerk in your county of registration or the office of the Texas Secretary of State at 1-800-252-8683 or log on to www.sos.texas.gov for a list of County Early Voting Clerks and their email and physical addresses.

1. Voter Information: Please print all information clearly and legibly			YOU MUST PROVIDE ONE of the follo	wing numbers
Name:			Texas Driver's License, Texas Personal Ide	
Last, First,	Middle	Suffix (Jr., Sr.)	or Election Identification Certificate Num Department of Public Safety (NOT your vo	
Residence Address as shown on your Voter Registration Certificate				
Address:		7-6-1-	If you do not have a Texas Driver's License Identification Number or a Texas Election	
Optional Information: Providing this information is helpful to the Early Voting Clerk,		•	Number, give the last 4 digits of your Soci	al Security Number
	***************************************		XXX-XX	
Date of Birth:// VUID #:			☐ I have not been issued a Texas Driver's Identification Number/Texas Election Ide	
Email: Tel.#:			Social Security Number	
2. Mail my Ballot to:				
My Residence Address (as listed on my Voter Registration Certificate)				
Other Address - You may use the Other Address line only if the other address fits one of the other address fits one of the other address.	ne categories below	' .		
Address	Apt. # (if any)	City	State	Zip Code
My Other Address is: (Check one) The mailing address listed on my Voter Registration Certificate				
☐ Address Outside the County (voters absent from the county) ☐ Hospital, Nursing Home, Long-Term Care Facility, Retirement or Assisted Living Cente	er or a Relative			(Indicate Relationship)
Address of the Jail/Civil Commitment Facility or a Relative				(Indicate Relationship)
				(Francice Relationality)
3. Reason For Voting by Mail: 65 Years of Age or Older				
Disability (as defined in Texas Election Code 82.002(a), see instruction on reverse) By che	cking this box, "I aff	irm that I have a sickness o	or physical condition that prevents me from a	ppearing at the polling
place on Election Day without a likelihood of needing personal assistance or of injuring m				
Expected to give birth within three weeks before or after Election Day	Li	dataa afalaa aa faa aa k	la a constant a destruction de la contraction de	
Expected Absence from the County (You may apply for a ballot for one election and its re			,	
Date you can begin to receive mail at your out of county address:/			to residence address://	/
4. Send me a Ballot for the Following Elections:	,			
Annual Application		Uniform Election Date	·	
Send me a ballot for all Elections in this voting year (January – December) Annual Applic		F		
only available for voters 65 and older and voters with disabilities. You must select a party wish to vote in a primary. Select only one party's primary and its resulting runoff.	rifyou	Any Resulting Runof	☐ May Election (not a primary runoff) if ☐ Other Special Election: (Name or Date numbered years only)	of Special Election, if known)
Primary Election (even numbered years only)	OR	Tritten y Licetion (Crein	numbered years only) Call Any Resulting Runoff	
☐ Democratic Primary ☐ Any Resulting Runoff		,	Any Resulting Runoff	
□ Republican Primary □ Any Resulting Runoff □ Do Not Send me a Primary Ballot			from the county or confined in jail/civilly com	mitted may only apply for
		one election and its res	, , , , , , , , , , , , , , , , , , ,	
5. Sign Here: "I certify that the information given in this application is true, and I understand				
i certify that the information given in this application is true, and i understand	a that giving faise	e information in this ap	optication is a crime.	
X			Date:/	/
If applicant is unable to sign or make a mark (in the presence of a witness), the witness must signature made with a pen and ink. Electronic signatures are not permitted.	complete the with	ess portion in Box 6 below.	The signature or mark of the voter in the bia	nk above must be an original
6. If someone helps you complete this form or mails, emails or faxes the fo	orm for you, that	person must comple	ete the section below.	
Instructions for Witnesses and Assistants: See back of this form for the definitions of Witnes				
Check one or both boxes below if you served as a Witness, an Assistant or both. All informable to make a mark, you must check this box and complete all informable to make a mark.		•	,	
☐ Witness — If you are acting as a Witness to the applicant's signature or mark or signing or		-	lationship to the applicant here:	
\square Assistant – if you assisted the applicant in completing this application in the applicant's pr	esence or mailed/e	mailed/faxed the applicati	on on behalf of the applicant. (Indic	cate Relationship)
Failure to complete this section is a Class A Misdemeanor if applicant's signature was with	nessed or applicant	t was assisted in completi	ng this application.	
X		Lat. Class Co.		
Signature of Witness/Assistant	Print	ed Name of Witness/Assistar	T.	
Street Address	Apt. # (if any)	City	State	Zip Code

Este formulario está disponible en Español. Para conseguir la versión en Español favor llamar sin cargo al 1-800-252-8683 a la oficina del Secretario del Estado o la Secretaria de Votación Adelantada.

STATE031880

but it is not a requirement.

lisM yd folls8 nof morfsoliggA nof anofourtail

FROM:

7 XOS

riection bay.

E XOB

BOX 5

DO NOT REMOVE PERFORATED TABS. Moisten here and fold bottom to top to seal.

Annusi ballot by mail. An Annual ballot by mail will provide you with a billot for all the elections

ease select the election(s) for which you are applying.

na not ylqqa oʻz əldigilə əna yfilidaaib a əvarl orlw no rəblo no 20 əna orlw aratov ylnO — **noftasilqqA laurnA**

a term that ends on or after Election Day; (2) pending trial after denial of bail; (3) without bail pending an appeal of a felony conviction; (4) pending trial or appeal on a baliable offense for which release on bail before Election Day is uniikely or (5) you are involuntarily civiliy committed.

outside the county and you must provide the dates that you will be absent from the county.

If you choose Confined in Jail/Involuntary Civil Commitment under Chapter 841 of the Health and Safety Code, you must be legally eligible for Early Voting by Mail. At the time your early voting that a place of the county of the coun

• if you choose **Expected Absence from the County**, you must expect to be absent from the county on Election Day and during the hours of early voting by personal appearance or the remainder of the early voting period after you submit your application. The ballot must be mailed to an address early voting period after you submit your application. The ballot must be mailed to an address

• If you are voting by mail because you are 65 or have a disability - Your ballot can be mailed to

Your ballot must be malled to the address where you are registered to vote or the malling address listed on your Voter Registration Certificate. There are some exceptions that allow you to have your ballot mailed to a different location.

provide the last 4 digits of your Social Security Number. If you have not been issued any of the required numbers, check the box that says that you have not been issued one of the required numbers, but it is not associated with your voter registration record, please contact your loss registration record, please contact your loss registration they to add one of the required mumbers, but it is not associated with your registration record, please contact your loss in registration record.

Number (NOT your VUID#). If you do not have one of the above mentioned numbers, you must

is extremely heipful to the Early Voting Clerk to clarify any information on this application.

• Required Personal Information: You MUST provide one of the following numbers: Texas Drivei's License Number, Texas Personal Identification Number or Election Identification Certificate

• Phone Number and Email Address: Providing your telephone number and email is not required but

• Address: Give your full residence address as shown on your Voter Registration Certificate.
• VUID and Precinct furmber: If you know your VUID and/or Precinct number, you may provide it,

Date of Birth: Not a requirement but it is helpful to determine identity when voters have common

that best describes your reason for volting by anali. • If you shoes **65 Years of Age or Older**, you must turn 65 no later than Election Bay.

IIKe Jr., Sr., or III. • Name: Please give your full name as it was provided to the Voter Registrar and include any suffixes

BOX 4 (CONLINNED)

than one Annual ballot by mail application in a calendar year.

witness is not a relative, the witness **must** state that on the line provided. The witness **must** sign and provided his or her printed name and residence address. It is a Class B Misdemeanor nuisple to make your mark. The witness must state his or her relationship to you. If the

to act as a witness for more than one application in each election or act as a witness for more

Witness - The witness must place a checkmark in the Witness Box indicating you were

Sign and date your application. If you are unable to sign because of a physical disability or illiteracy, itse application may be signed for you by a witness. The witness must be in the research to extend the saminate of the worter to extract a saminate.

ication if your reason for voting by mail was 65 Years of Age or Older or Disability If you do not select any elections in Box 4, your application will be considered an Annual

psiliot for those other elections in which you are eligible to vote. This means that while application, in a calendar year for which you are eligible. Your Annual Application may be forwarded to other

• **Assistant** — If a person (other than a close relative or person registered to vote at the same address) assists you in completing this application; or mails, faxes or emails this application on your behalf, the assistant **must** complete Box 6. The assistant must sign and provide his or

• if you choose **Disability**, your disability must meet the definition of a disability as described in Section 82.002(a) of the Texas Election Code.

• if you choose **Confinement for Childbirth**, you expect to give birth within three weeks before or after only to Annual Applications and only when there is an election within 60 days of the date the - if you submit an Annual Application (only available for voters 65 and older and voters with disabilities), within 60 days of an election that takes place in the following calendar year, your application will be valid for all elections in the following calendar year. This 60 day rule applies he State of Texas requires that you provide a reason for voting by mail. Place a checkmark in the bo but not later than the Lith day for the election in which you wish to vote. Annual Applications a hospital, nursing home, long-term care facility, rethrement or assisted living facility or a relative.

• If you are absent from the county—Your ballot must be mailed to an address outside the county.

• If you are confined in Jail or involuntarily civilly committed — Your ballot can be mailed to the

• Common or Contract Carrier — The application may be submitted via a bona fide, for profit • By Mail - The application may be submitted via the U.S. Postal Service.

Fax Transmission — Please contact your Early Voting Clerk or the Secretary of State for fax

EARLY VOTING CLERK SO THAT IT IS RECEIVED NO LATER THAN THE FOURTH BUSINESS DAY AFTER. IT WAS RECEIVED BY FAX OR EMAIL.

IF YOU FAX OR EMAIL THE APPLICATION YOU MUST ALSO PHYSICALLY SEND THE ORIGINAL TO THE

The fax or email must reach the Early Voting Clerk's office no later than the close of regular business or 12:00 noon, whichever is later on the 11th day before Election Day.

• **By email** — The application may be submitted via email. Please contact your Early Voting Clerk or the Secretary of State for email addresses.

POSTAGE

FIRST CLASS XI44A

• In-berson — Only the applicant may submit his or her own application to the Early Voting.

20BMILLING THE APPLICATION:

ppiication was received by the Early Voting Clerk in the preceding year

first preceding business day. An application may be submitted anytime in the calendar year before Election Day. If the deadline falls on a weekend or holiday the deadline moves to the third pay.

DEADLINE TO APPLY:

her printed name and residence address. An assistant commits a Class A Misdemeanor if he or spired in Box 6.

ce of the voter in order to act as a witness.

OCA-APPX-1346

TO: EARLY VOTING CLERK

Exhibit 85

WARNING Covered possessing amorties persone ballot of Carrier Envelope may be a crime unless you provide your signature, printed name and address (2) A person commits an offense if the delact compensates another person of everyes concernation for depositive a Carrier Envelope in the mail as part of a screene in which the general related to Carrier Fivelones. please see the "Information About Returning four Carrier Envelope included with the materials sent to valuudi valuuda la

ADVERTENCIA LE acto de poseer de envio de otra persona puede ser un delito a menos de que usteb proporcione su firma nombre en etra de moide, y su dirección (2) Una persona comete un delito si recompensa o recipie compensación a cambio de depositar el sobre de envio en el correo como carte de un plan en el cual a dessona es recompensaca en base a lumero de sobres de envio depositados. Para dotener into macion adicional sobre los delitos relacionados con los sobres de envici por lavor lea a Morria di Sone la Devolución De Sociede Enviol include con les

6-15 Pre-critical by Societary of State Section 86-013, Texas Election Code 07/2022 Place Stamp Here



CARRIER ENVELOPE FOR EARLY VOTING BALLOT (SOBRE DE ENVÍO PARA LA BOLETA DE VOTACIÓN ADELANTADA)

(Early Voting Clerk should preprint return address or affix address label)

STATE137682

Instructions to the Voter:

- This envelope must be sealed and signed by the voter before it leaves the voter's hands. Do not sign this envelope unless the ballot has been marked by you or at your direction. (Instrucciones al Votante: Este sobre debe ser sellado y firmado por el votante antes de que salga de sus manos. No firme este sobre a menos de que la boleta haya sido llenada por usted o bajo su dirección.)
- This Carrier Envelope may not be used to return more than one voter's ballot. (Este sobre de envío no debe ser utilizado para entregar la boleta de más de un solo votante.)
- For instructions on the methods and deadlines to deliver this Carrier Envelope, see the "Information About Returning Your Carrier Envelope," included with the materials sent to you with your ballot. (Para obtener instrucciones sobre los métodos y plazos para entregar este sobre de envío, vea la "Información Sobre La Devolución de su Sobre de Envío," incluido con los materiales enviados a usted con su boleta.)

Instructions to Assistant (if applicable):

• A voter may only be assisted with reading or marking the ballot if the voter has a physical disability that renders the voter unable to write or see, or has an inability to read the language in which the ballot is written. If you are assisting the voter, you must read the oath and complete the section below, before assisting the voter. (Instrucciones al Asistente (si es aplicable)): Un votante sólo puede recibir ayuda para leer o marcar la boleta si el votante tiene una discapacidad física la cual le impide escribir o ver, o si no tiene la habilidad de leer el idioma en el cual la boleta está escrita. Si usted asiste al votante, debe leer el juramento y completar la siguiente sección abajo, antes de asistir al votante.)

Instructions to Person Depositing Carrier Envelope in Mail or to Common or Contract Carrier:

• If you are assisting a voter by depositing the Carrier Envelope in the mail or with a common or contract carrier, you must complete the assistant section below. (Instrucciones para la Persona Que Deposita el Sobre de Envío en el Correo o al Transportista Común o Contratado: Si asiste a un votante depositando el sobre de envío en el correo o con un transportista común o contratado, debe completar la sección de asistente que aparece a continuación.)

I certify that the enclosed ballot expresses my wishes independent of any dictation or undue persuasion by any person. (Certifico que la boleta adjunta expresa mis deseos independientemente de ningún dictado o persuasión indebida por parte de cualquier persona.)

SEAL ENVELOPE AND SIGN OVER SEALED FLAP (SELLE EL SOBRE Y FIRME SOBRE LA SOLAPA SELLADA)



Oath of Person Assisting Vote: "I swear (or affirm) under penalty of perjury that the voter I am assisting represented to me they are eligible to receive assistance; I will not suggest, by word, sign, or gesture, how the voter should vote; I will prepare the voter's ballot as the voter directs; I did not pressure or coerce the voter into choosing me to provide assistance; I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs; I will not communicate information about how the voter has voted to another person; and I understand that if assistance is provided to a voter who is not eligible for assistance, the voter's ballot may not be counted." Juramento de la Persona Asistiendo al Votante: "Yo juro (o afirmo) bajo pena de perjurio que el votante al que estoy asistiendo me representó que es elegible para recibir asistencia; no sugeriré, con palabra, señal, o gesto, como debe votar el votante; prepararé la boleta del votante según lo indique el votante; no presioné ni coaccioné al votante para que me eligiera como asistente; no soy el empleador del votante, un agente del empleador del votante, o un oficial o agente de un sindicato al cual el votante pertenece; no comunicaré información sobre cómo el votante ha votado a otra persona; y entiendo que si se proporciona asistencia a un votante que no es elegible para recibir asistencia, la boleta del votante podría no ser contada."

If you are an assistant, provide information below: (Si usted es un asistente proporcione la siguiente información):

Did you receive compensation or other benefit from a candidate, campaign or political committee in exchange for providing

¿Recibió compensación u otro beneficio de un candidato, campaña o comité político a cambio de brindar asistencia?

Marque con un Círculo: Sí No

Printed Name (Nombre en letra de molde) Signature (Firma)

Relationship to Voter (Relación al votante) Street Address (Domicilio residencial)

L	*	ø.
	#	*

SIGNATURE OR MARK OF VOTER (FIRMA O MARCA DEL VOTANTE)

Name of Election (Nombre de Elección):			
Name of Voter (Nombre del votante):			
Date of Election (Fecha de Elec	:ción)://		
of voter). You must complete the se	ving as a witness for ction below if you witness the mark of the vo mot make a mark, check here		
/s	ciniando como tectigo nara		
•	tar la sección a continuación si es testigo de narca. Si el votante no puede hacer una marc		

512137684

TO CHECK THE STATUS OF YOUR MAIL BALLOT, VISIT (PARA VERIFICAR EL ESTADO DE SU BOLETA POR CORREO, VISITE)



REQUIRED INFORMATION: YOU MUST PROVIDE ONE OF THE FOLLOWING NUMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER REGISTRATION RECORD

INFORMACIÓN REQUERIDA: DEBE PROPORCIONAR UNO DE LOS SIGUI	IENTES NÚMEROS Y DEBE ESTAR AS	OCIADO CON SU REGISTRO DE VOTA	NTE
Texas Driver's License or Texas Personal Identification Card or Election Identification Certificate Number issued by the Texas Department of PublicSafety(NOTyourVoterRegistrationVUID#)(NúmerodeLicenciade Conducir de Texas o Número de Tarjeta de Identificación Personal de Texas o Certificado de Identificación Electoral expedida por el Departamento de Seguridad Pública de Texas) (NO ES el número de su Registro Electoral VUID#)	If you do not have a Texas Driver's Lic or a Texas Election Identification Cer of your Social Security Number (Si n Texas o una Tarjeta de Identificación Identificación Electoral de Texas, pro número de Seguro Social)	tificate Number, give the last 4 digits to tiene una Licencia de Conducir de to Personal de Texas o Certificado de porcione los 4 últimos dígitos de su	I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Certificate or a Social Security Number (No se me ha expedicio una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o un Certificado de Identificación Electoral de Texas ni un número de Seguro Social.)
CONTACT INFORMATION (INFORMACIÓN DE CONTACTO): Phone (Teléfono):):	Email (Correo Electrónico):	
SEAL ENVELOPE AND SIGN OVER SEALED FLAP (SELLE EL SOBRE Y FIRME SOBRE LA SOLAPA SELLADA) Oath of Person Assisting Voter "I swear (or affirm) under penalty of perjury that the vo	oter I am assisting represented to me they		OF VOTER (FIRMA O MARCA DEL VOTANTE)
are eligible to receive assistance; I will not suggest, by word, sign, or gesture, how the viballot as the voter directs; I did not pressure or coerce the voter into choosing me to employer, an agent of the voter's employer, or an officer or agent of a labor union to communicate information about how the voter has voted to another person; provided to a voter who is not eligible for assistance, the voter's ballot may not I	to provide assistance; I am not the voter's to which the voter belongs; I will not ; and I understand that if assistance is be counted." Juramento de la Persona	Completed by Early Voting Clerk (Completado por el Secretario de Votación Adelantada): Name of Election (Nombre de Elección):	
Asistiendo al Votante: "Yo juro (o afirmo) bajo pena de perjurio que el votante que es elegible para recibir asistencia; no sugeriré, con palabra, señal, o gesto, co boleta del votante según lo indique el votante; no presioné ni coaccioné al votante para el empleador del votante, un agente del empleador del votante, o un oficial o ag pertenece: no comunicaré información sobre cómo el votante ha votado a otra oe	como debe votar el votante; prepararé la ira que me eligiera como asistente; no soy igente de un sindicato al cual el votante	Name of Voter (Nombre del vota Date of Election (Fecha de Eleccie	onte)://
asistencia a un votante que no es elegible para recibir asistencia, la boleta del votante p If you are an assistant, provide information below. (Si usted es un asistente o testigo, marque la	podría no ser contada."	Instructions to Witness: You are serving	on below if you witness the mark of the voter, or if the voter
Did you receive compensation or other benefit from a candidate, campaign or politic assistance? Circle one: Yes No ¿Recibió compensación u otro beneficio de un candidato, campaña o comité político Marque con un Circulo: Sí No	ical committee in exchange for providing		viendo como testigo para la sección a continuación si es testigo de la marca del votante, ca. Si el votante no puede hacer una marca, marque aquí
Printed Name (Nombre en letra de molde) Signature (Firma)		Signature (Firma)	Printed Name (Nombre en letra de moide)
Relationship to Voter (Relación al votante) Street Address (Dor	omicilio residencial)	Street Address (Domicilio residencial)	

Exhibit 86

Message

From: Elections Internet [Elections@sos.texas.gov]

Sent: 1/12/2022 12:34:07 AM

To: Elections Internet [Elections@sos.texas.gov]

Subject: MASS EMAIL (CC/EA/VR - 1031) - Updated Ballot by Mail Forms

Attachments: 6-2 - FORM Notice of Rejected Application for Ballot by Mail.pdf; 6-17 - FORM - Information about Returning Your

Carrier Envelope (Carrier Insert).pdf; 6-36 - Information about Returning Your Carrier Envelope -FPCA Voters.pdf; 6-

19 - Dear Voter Letter 2022.docx; 6-3 - FORM -Notice of Rejected ABBM -Missing or Incorrect Personal ID Numbers.docx.pdf; 6-4 - FORM Notice of Rejected ABBM - Personal Identification Numbers not on Voter

Record.docx.pdf

Dear Election Officials

Our office has released the following new or revised forms that are attached to this email as a PDF or Word document.

- Notice of Rejected Application for Ballot by Mail
- Notice of Rejected Application for Ballot by Mail Missing or Incorrect Personal Identification Number
- Notice of Rejected Application for Ballot by Mail Required Personal Identification Number Missing from Voter Record
- Information about Returning Your Marked Ballot (Carrier Insert for Regular ABBM voters)
- Information about Returning Your Marked Ballot (Carrier Insert for FPCA voters)
- Signature Sheet for FPCA Voters
- "Dear Voter" Letter (Attached as a Word Document)
 - The SOS will no longer be issuing a "Dear Voter" letter signed by the SOS. We are providing a generic template that early voting clerks can use to issue the letter under their own signature.

These forms are in the process of being posted to our website in our <u>Election Forms Manual</u>. We will be sending out additional emails as more forms are completed and posted to our website.

Thank you for all your hard work getting ready for your upcoming elections.

Christina Worrell Adkins

Legal Director — Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

NOTICE OF REJECTED APPLICATION FOR BALLOT BY MAIL

Your Application for a Ballot by Mail has been received and reviewed. Please be advised that your application has been rejected by law for the following reason(s):

1.	ting Clerk has placed a checkmark next to the reason (s) that your Application for Ballot by Mail was Rejected Your application was received earlier than the 60th day before an election to be held in January or February of the new voting year.
2.	Your application was not properly delivered to the Early Voting Clerk.
3.	Your application was received after the deadline to apply for a ballot by mail for the current election. (Check if appropriate): Your Annual Application for a Ballot by Mail will be considered valid for all other elections (for which
	you are eligible) held this year and for which the application was submitted before the deadline.
4.	Your application was received after the deadline for receiving an Application for a Ballot by Mail. The deadline for receiving the application was/
5.	You indicate you are voting by mail due to a disability, but the application that was submitted did not include the following affirmation: "I have a sickness or physical condition that prevents me from appearing at the polling place on Election Day without the likelihood of needing personal assistance or injuring my health." This affirmation is required by Texas Election Code Section 84.002(c).
6.	You indicate you are voting by mail due to expected absence from the county, but you did not provide an address outside the county. When voting by mail on the ground of expected absence from the county, your ballot must be mailed to an address outside the county.
7.	When voting by mail due to confinement in jail or due to involuntary civil commitment, the address to which your ballot is to be mailed must be that of the jail/civil commitment facility or a relative. Your application did not indicate either address.
8.	Your application was not signed or the application contained an electronic signature. Your application must contain a physical signature in ink.
9.	The witness who signed your application did not:(a) indicate a relationship on your application;(b) indicate that you were unable to make your mark in lieu of your signature; or(c) provide his or her printed name or residence address.
10.	Your application did not indicate the reason you are eligible to vote by mail.
11.	You did not indicate a party preference. In order to vote in a primary election, you must indicate your party preference. (Check if appropriate): You have submitted an Annual Application for a Ballot by Mail. You will receive ballots for all other elections held this year other than the Primary or Primary Runoff Election. Please submit a new Application for a Ballot by Mail if you wish to vote by mail in the Primary or Primary Runoff election.
12.	Your application did not provide the residence address associated with your voter registration record.
13.	According to the records of the voter registrar, you are not currently registered to vote or, if you have applied, your registration will not be effective on or before Election Day.
14.	The Early Voting Clerk could not determine for which election you applied to vote by mail.
15.	Your application was initially submitted by fax or email, but an original hardcopy of the application was not received within four business days of the legally required deadline.
16.	Your application did not contain your Texas Driver's License Number, Texas Personal Identification Card Number, Texas Election Identification Certificate Number or the Last 4 digits of your Social Security Number or the number provided did not match your voter registration record.
17.	Other:
	o vote by mail, you must submit another application to the Early Voting Clerk. Your new Application for a Ballot be received no later than*/
received by t	ication is faxed or emailed on or near the deadline to apply for a Ballot by Mail, the original hardcopy must be the Early Voting Clerk within four business days of the receipt of your fax or email and meet all legally required receipt of the application.
If you have a	ny questions regarding your application, please contact the Early Voting Clerk's Office at
Phone Numb	per Signature of Early Voting Clerk

NOTIFICACIÓN DE SOLICITUD DE BOLETA POSTAL RECHAZADA

Su Solicitud de Boleta Postal ha sido recibida y revisada. Le informamos de que su solicitud ha sido rechazada por la ley por la(s) siguiente(s) razón(es):

El Secretario de Votación Adelantada ha puesto una marca de verificación junto a la(s) razón(es) por la(s) que su Solicitud de Boleta Postal fue Rechazada.

1.	Su solicitud fue recibida antes del 60° día anterior de una elección que se celebrará en enero o febrero del nuevo año electoral.
2.	Su solicitud no fue entregada de manera apropiada al Secretario de Votación Adelantada.
3.	Su solicitud fue recibida después de la fecha límite para solicitar una boleta por correo para la elección actual. (Marque si corresponde):
4.	límite. Su solicitud fue recibida después de la fecha límite para recibir una Solicitud de Boleta Postal.
	La fecha límite para recibir la solicitud fue elde,,
	(día) (mes) (año) (Marque si corresponde):Ha solicitado una boleta para la elección de desempate. Si se celebra una, su solicitud es válida para esa elección.
5.	Usted indicó que está votando por correo debido a una discapacidad, pero la solicitud que se presentó no incluía la siguiente afirmación: "Tengo una enfermedad o condición física que me impide aparecer en el lugar de votación en el Día de las Elecciones sin la posibilidad de necesitar asistencia o de afectar mi salud." Esta afirmación es requerida por la Sección 84.002(c) del Código Electoral de Texas.
6.	Usted indicó que está votando por correo debido a una ausencia prevista del condado, pero no proporcionó una dirección fuera del condado. Si vota por correo debido a una ausencia prevista del condado, su boleta debe enviarse por correo a una dirección fuera del condado.
7.	Cuando se vota por correo debido a un confinamiento en la cárcel o a un compromiso civil involuntario, la dirección a la que se debe enviar la boleta debe ser la de la cárcel /centro de compromiso civil o la de un familiar. Su solicitud no indicó ninguna de estas direcciones.
8.	Su solicitud no estaba firmada o la solicitud contenía una firma electrónica. Su solicitud debe contener una firma física en tinta.
9.	El testigo que firmó su solicitud no:(a) indicó una relación en su solicitud;(b) indicó que usted no podía hacer su marca en lugar de su firma; o(c) proporcionó su nombre en letra de molde o su dirección residencial.
10.	Su solicitud no indicó la razón por la que es elegible para votar por correo.
11.	Usted no indicó una preferencia de partido. Para votar en una elección primaria, debe indicar su preferencia de partido. (Marque si corresponde): Ha presentado una Solicitud Anual de Boleta Postal. Recibirá boletas para todas las demás elecciones celebradas este año que no sean las elecciones primarias o las elecciones primarias de desempate. Por favor, envíe una Solicitud de Boleta Postal nueva si desea votar por correo en las elecciones primarias o en las elecciones primarias de desempate.
12.	Su solicitud no proporcionó la dirección residencial asociada con su registro de votante.
13.	De acuerdo con los registros del registrador de votantes, usted no está actualmente registrado para votaro, si ha solicitado, su inscripción no será efectiva el Día de las Elecciones o antes.
14.	El Secretario de Votación Adelantada no pudo determinar para qué elección solicitó votar por correo.
15.	Su solicitud se envió inicialmente enviada por fax o correo electrónico, pero no se recibió una copia impresa original de la solicitud dentro de los cuatro días hábiles posteriores a la fecha límite legalmente requerida.
16.	Su solicitud no contenía su Número de Licencia de Conducir de Texas, su Número de Tarjeta de Identificación Personal de Texas, su Número de Certificado de Identificación Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social, o el número proporcionado no coincidía con su registro de votante.
17.	Otro:
	r por correo, debe presentar otra solicitud al Secretario de Votación Adelantada. Su nueva Solicitud de Boleta er recibida a más tardar el *//
correo, la cop siguientes a la recepción de	
Si tiene algun Adelantada lla	a pregunta con respecto a su solicitud, por favor comuníquese con la Oficina del Secretario de Votación amando al
Número de Te	eléfono Firma del Secretario de Votación Adelantada

NOTICE OF REJECTED APPLICATION FOR BALLOT BY MAIL

Missing or Incorrect Personal Identification Number

Your Application for a Ballot by Mail has been received and reviewed, but is defective for the reason checked below. New Texas Law requires that a voter must give his or her Texas Driver's License number, Texas Personal Identification Card number, Election Identification Certificate number or the last 4 digits of his or her Social Security number on an Application for Ballot by Mail. Required personal identification information is either missing from your application or the information provided does not match your voter registration record. You must provide the required number in order to vote by mail.

The Early Vo	ting Clerk has placed a checkmark next to the reason	that your Application for Ballot by Mail was Defective
1.		exas Driver's License Number, Texas Personal ation Certificate Number or the Last 4 digits of your
2.		sonal Identification Number, Election digits of your Social Security Number provided rassociated with your voter registration record as
How to Co	orrect the Defect on your Application for Ballot b	y Mail
www.votes	texas.gov When you loginto the Ballot by Mail T	Secretary of State Ballot by Mail Tracker at racker, you will have the opportunity to enter your entification number is validated by the Mail Ballot submitted will be processed.
YourThe	the Ballot by Mail Tracker, you must enter: r Texas Driver's License Number or Texas Persona last four digits of your social security number ANI r residence address as listed in your voter registra	D
lf your rejec included wi		ection Day, a new Application for Ballot by Mail is
If you do de	ecide to submit a new application, please be awa	re of the following guidelines:
Clerk so tha	r email the Application for Ballot by Mail, you mus at it is received no later than the fourth business d all legally required deadlines.	
	any questions or concerns about making a correct personal identification number, please c	ection to your Application for Ballot by Mail for a contact the Early Voting Clerk's Office at:
Phone Numb	 ber	Signature of Early Voting Clerk

Número de Teléfono

NOTIFICACIÓN DE SOLICITUD DE BOLETA POSTAL RECHAZADA

Número de Identificación Personal Faltante o Incorrecto

Su Solicitud de Boleta Postal ha sido recibida y revisada, pero es defectuosa por la razón que se indica a continuación. La nueva ley de Texas exige que el votante dé su Número de Licencia de Conducir de Texas, el Número de su Tarjeta de Identificación Personal de Texas, el Número de su Certificado de Identificación Electoral o los últimos 4 dígitos de su Número de Seguro Social en la Solicitud de Boleta Postal. La información de identificación personal requerida falta en su solicitud o la información pro porcionada no coincide con su registro de votante. Debe proporcionar el número requerido para poder votar por correo.

	le Votación Adelantada ha puesto una marca de verificación junto a la razón por la que e Boleta Postal fue defectuosa
1.	Su solicitud no contenía su Número de Licencia de Conducir de Texas, su Número de Tarjeta de Identificación Personal de Texas, su Número de Certificado de Identificación Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social.
2.	El Número de Licencia de Conducir de Texas, el Número de Tarjeta de Identificación Personal de Texas, el Número de Certificado de Identificación Electoral o los últimos 4 dígitos de su Número de Seguro Social proporcionados en su solicitud no coinciden con el número asociado con su registro de votante proporcionado por el Registrador de Votantes de su Condado.
Como Corregi	r el Defecto en Su Solicitud de Boleta Postal
<u>www.votetex</u> número(s) de	r el defecto en línea a través del Rastreador de Boleta Postal del Secretario de Estado de Texas en <u>as.gov</u> Cuando acceda al Rastreador de Boleta Postal, tendrá la oportunidad de introducir su(s) identificación personal. Una vez que su número de identificación personal sea validado por el Boleta Postal, se procesará la Solicitud de Boleta Postal que usted presentó previamente.
Su Núr de TexLos últ	imos 4 dígitos de su Número de Seguro Social Y
Su dire	ección de residencia tal y como figura en su registro de votante
nueva Solicitu	ocurrió en o antes de los 18 días antes del Día de las Elecciones, se incluye en esta notificación una d de Boleta Postal. Si no desea presentar una nueva Solicitud, puede corregir el defecto utilizando de Boleta Postal.
Si decide pres	entar una nueva solicitud, tenga en cuenta las siguientes directrices:
Secretario de '	ax o por correo electrónico su Solicitud de Boleta Postal, debe enviar físicamente el original al Votación Adelantada para que sea recibido a más tardar el cuarto día hábil después de haber sido ax o correo electrónico y debe cumplir con todos los plazos legalmente requeridos.
-	a pregunta o duda sobre cómo hacer una corrección en su Solicitud de Boleta Postal por un número ión personal faltante o incorrecto, póngase en contacto con la Oficina de Votación Adelantada al:

Firma del Secretario de Votación Adelantada

NOTICE OF REJECTED APPLICATION FOR BALLOT BY MAIL

Required Personal Identification Number is Not Associated with Your Voter Record

Your Application for a Ballot by Mail has been received and reviewed, but is defective for the reason stated below. New Texas Law requires that a voter must give his or her Texas Driver's License number, Texas Personal Identification Card number, Texas Election Identification Certificate number or the last 4 digits of his or her Social Security number on an Application for Ballot by Mail. The number provided must be a part of the voter's registration record in order for the voter to vote by mail.

 Your voter registration record does not have a Texas Driver's License Number,
Texas Personal Identification Card Number, Election Identification Certificate
Number or Last 4 digits of a Social Security Number associated withit.

There are Two Ways to Add the Required Numbers to Your Voter Registration Record

Submit an Updated Voter Registration Application - Enclosed is a Postage Paid Voter Registration Application. Complete the application according to its instructions. Adding both the Driver's License or Personal Identification Card number AND the last 4 digits of your Social Security number to your voter registration record is very helpful to the Early Voting Clerk and will make applying for a Ballot by Mail easier in future elections.

OR

Update Your Information Online - You may update your voter registration record online at www.Texas.gov

To access the voter registration portal via Texas.gov, you must have:

- Your Texas Driver's License or Texas Personal Identification Card
- The audit number located on your Texas Driver's License or Texas Personal Identification Card
- Your Social Security Number
- Your Voter Registration Number (VUID#).

If you do not have a personal identification number associated with your voter registration record, you must add it before you will be allowed to vote by mail. Adding the missing numbers to your voter registration record takes effect immediately, but if you change your address it will take 30 days for the update to take effect from the day the voter registrar receives your new application.

If you have any questions or concerns about making an update to your voter registration record for a missing personal identification number, please contact the Early Voting Clerk's Office at:

Phone Number	Signature of Early Voting Clerk

NOTIFICACIÓN DE SOLICITUD DE BOLETA POSTAL RECHAZADA

El Número de Identificación Personal Requerido No Está Asociado Con Su Registro de Votante

Su Solicitud de Boleta Postal ha sido recibida y revisada, pero es defectuosa por la razón que se indica a continuación. La nueva ley de Texas exige que el votante dé su Número de Licencia de Conducir de Texas, el Número de su Tarjeta de Identificación Personal de Texas, el Número de su Certificado de Identificación Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social en la Solicitud de Boleta Postal. El número proporcionado debe ser parte del registro del votante para que el votante pueda votar por correo.

 Su registro de votante no tiene un Número de Licencia de Conducir de Texas, un
Número de Tarjeta de Identificación Personal de Texas, Certificado de Identificación
Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social asociado
con él.

Hay Dos Maneras de Añadir los Números Requeridos a Su Registro de Registro de Votante

Presentar una Solicitud de Registro de Votantes Actualizada - Se adjunta una Solicitud de Registro de Votantes con franqueo pagado. Complete la solicitud de acuerdo con sus instrucciones. Añadir tanto el Número de la Licencia de Conducir o de la Tarjeta de Identificación Personal como los últimos 4 dígitos de su Número de Seguro Social a su registro de votante es muy útil para el Secretario de Votación Adelantada y facilitará la solicitud de una Boleta Postal en elecciones futuras.

C

Actualice su Información en Línea – Puede actualizar su registro de votantes en línea en <u>www.Texas.gov</u>

Para acceder al portal de registro de votantes a través de Texas.gov, debe tener:

- Su Licencia de Conducir de Texas o su Tarjeta de Identificación Personal de Texas
- El número de auditoría que se encuentra en su Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas
- Su Número de Seguro Social
- Su Número de Registro de Votante (VUID#).

Si no tiene un número de identificación personal asociado con su registro de votante, debe añadirlo antes de que se le permita votar por correo. La adición de los números que faltan a su registro de votante surte efecto inmediatamente, pero si cambia su dirección, la actualización tardará 30 días en surtir efecto a partir del día en que el registrador de votantes reciba su nueva solicitud.

Si tiene alguna pregunta o duda sobr	e cómo actualizar su registro de votante por un número de
identificación personal faltante, pón	gase en contacto con la Oficina de Votación Adelantada al:
Número de Teléfono	Firma del Secretario de Votación Adelantada

INFORMATION ABOUT RETURNING YOUR CARRIER ENVELOPE

Sealing and Signing the Carrier Envelope - Your ballot must be returned in the official Carrier Envelope!

- 1. REQUIRED INFORMATION UNDER SECTION 86.002 OF THE ELECTION CODE: You MUST provide one of the following numbers that is associated with your voter registration record in the appropriate place on the Carrier Envelope: Texas Driver's License, Personal Identification Card or Election Identification Certificate Number issued by the Department of Public Safety. If you have not been issued one of these numbers, you may give the last four digits of your Social Security Number.
- 2. If you have not been issued a Texas Driver's License, Personal Identification Card or Election Identification Certificate Number issued by the Department of Public Safety or a Social Security Number, check the box indicating this fact. The ID that you use for the purpose of fulfilling these identity requirements may be expired if the license or identification is otherwise valid.
- 3. When the Carrier Envelope is sealed, your information will be hidden from view during the mailing process. Your personal identification numbers will reviewed by authorized election officials to determine if the number you provided matches the number on your voter registration record. If the number you provided is incomplete or does not match your voter registration record, you will be notified of this defect and given the opportunity to make any necessary corrections.
- 4. Place your marked ballot inside the Ballot Envelope. Place the sealed Ballot Envelope inside the Carrier Envelope. Seal any and all glue strips on your Carrier Envelope before signing across the sealed flap.
- 5. **Sign your name** next to the large "X" on the Carrier Envelope. If you cannot sign your name, you must have a person witness your mark. If you cannot make a mark, the witness must indicate this in the witness section of the Carrier Envelope and complete the applicable section on the back of the Carrier Envelope.
- 6. If a person assists you with reading or marking your ballot, deposits your Carrier Envelope in the mail or delivers your ballot to a common or contract carrier, that person MUST sign the written Oath of Assistance that is part of the certificate on your Carrier Envelope, and include a printed name, residence address, relationship to you and whether he or she received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee in exchange for providing assistance. Failure of the assistant to provide this information is a crime unless the person is one of certain close relatives of the voter or physically living in the same dwelling, and may result in your ballot being rejected. The offense is a state jail felony. For additional information on assistance procedures, please see the "Dear Voter" letter included with your balloting materials.

How Do I Return My Marked Ballot to the Early Voting Clerk?

- 1. By Mail through the United States Postal Service;
- 2. By Common or Contract Carrier (e.g., a mail or courier service provided by a private business).

 For more information on this delivery method, see "Special Rules for Delivery by Common and Contract Carriers," below.); OR
- 3. Hand Delivered, in person, by the Voter on Election Day, to the Early Voting Clerk's office.

 You may only hand-deliver your own Carrier Envelope and not the Carrier Envelope for another individual. Hand delivery of a Ballot by Mail may only be made on Election Day, and the Carrier Envelope must be delivered to the Early Voting Clerk's office. You will be asked to present an acceptable form of photo ID listed in Section 63.0101(a) of the Texas Election Code. If you do not possess and cannot reasonably obtain an acceptable form of photo ID, you can execute a Reasonable Impediment Declaration and provide a supporting form of identification listed in Section 63.0101(b) of the Texas Election Code. Also, if you have a Voter Registration Certificate containing the Disability Exemption (E) notation, you may present it. You must sign a signature roster.

The Carrier Envelope may only contain one voter's ballot. However, more than one Carrier Envelope may be placed together in another envelope for mailing purposes if the additional Carrier Envelope(s) belong(s) to a person(s) registered to vote at the same address (§ 86.006(b), Texas Election Code). A Carrier Envelope may not be collected and stored at another location for subsequent delivery to the Early Voting Clerk. It is a criminal offense for someone to knowingly possesses an official ballot or official Carrier Envelope provided under this Code of another individual without completing the assistant portion of the Carrier Envelope, unless the person is one of certain close relatives of the voter, physically living in the same dwelling, an Early Voting Clerk or Deputy Early Voting Clerk, or a U.S. Postal service or other delivery service employee working in the normal course of his or her job. It is also a criminal offense to be compensated for depositing Carrier Envelopes in the mail or with a common or contract carrier. (§ 86.0052, Texas Election Code). IF YOUR BALLOT IS RETURNED BY AN UNAUTHORIZED METHOD, IT WILL NOT BE COUNTED.

What is the Deadline to Return my Ballot by Mail?

A ballot that is mailed or delivered by common or contract carrier but does not have a postmark or delivery receipt must be received by the Early Voting Clerk no later than 7:00 p.m. on Election Day.

A ballot that is mailed or delivered by mail or common or contract carrier from within the United States and is postmarked or accompanied by a delivery receipt showing the voter submitted the ballot for delivery by 7:00 p.m. on Election Day must be received no later than **5:00** p.m. on the next business day after Election Day.

A ballot that is hand delivered can only be delivered on Election Day and must be received by the Early Voting Clerk **no later than 7:00 p.m. on Election Day**.

A ballot that is mailed from <u>overseas</u> and is postmarked or accompanied by a delivery receipt showing the voter submitted the ballot for delivery by 7:00 p.m. on Election Day must arrive **no later than the 5th day after Election Day** (or the next business day after the 5th day after Election Day, if the 5th day falls on a weekend or holiday).

SPECIAL RULES FOR DELIVERY BY COMMON AND CONTRACT CARRIERS (§§ 81.005 and 86.006, Texas Election Code)

- 1. If you use a common or contract carrier to return your ballot, the carrier must be a bona fide, for profit business whose primary service is transporting or delivering items for compensation.
- 2. If you return your Carrier Envelope by common or contract carrier, your Carrier Envelope must be accompanied by a delivery receipt when delivered to the Early Voting Clerk. The receipt must indicate the name and address of the person who delivered the Carrier Envelope to the common or contract carrier, and the date, hour, and address where the Carrier Envelope was received by the common or contract carrier.
- 3. Your ballot will <u>not</u> be counted if it is picked up by a common or contract carrier at an office of a political party or candidate in the election, office for a specific-purpose or general purpose political committee involved in the election, an entity that requested the election be held (unless the delivery is a forwarding to the Early Voting Clerk), or a candidate's house unless the address of the candidate is your address.

If you have any questions about returning your Carrier Envelope, please contact the Early Voting Clerk's o	ffice at

If you feel that your voting rights have been violated or abused, you may report these incidents to the Secretary of State toll-free at 1-800-252-VOTE(8683) or elections@sos.texas.gov

INFORMACIÓN SOBRE LA DEVOLUCIÓN DE SU SOBRE DE ENVÍO

Cómo Sellar y Firmar el Sobre de Envío - ¡Su boleta debe ser devuelta en el Sobre de Envío oficial!

- 1.Información Requerida Según la Sección 86.002 del Código Electoral: Usted DEBE proporcionar uno de los siguientes números que está asociado con su registro de votante en el lugar apropiado en el Sobre de Envío: Licencia de Conducir de Texas, Tarjeta de Identificación Personal o Número de Certificado de Identificación Electoral emitido por el Departamento de Seguridad Pública. Si no se le ha emitido uno de estos números, puede dar los últimos cuatro dígitos de su Número de Seguro Social.
- 2.Si no se le ha emitido una Licencia de Conducir de Texas, una Tarjeta de Identificación Personal o un Número de Certificado de Identificación Electoral emitido por el Departamento de Seguridad Pública o un Número de Seguro Social, marque la casilla que indica este hecho. El documento de identidad que utilice para cumplir con estos requisitos de identidad puede estar caducado si la licencia o identificación es válida de otra manera.
- 3.Cuando el Sobre de Envío esté cerrado, su información quedará oculta durante el proceso de envío. Sus números de identificación personal serán revisados por funcionarios electorales autorizados para determinar si el número que ha proporcionado coincide con el de su registro de votante. Si el número que ha proporcionado está incompleto o no coincide con su registro de votante, se le notificará de este defecto y se le dará la oportunidad de hacer las correcciones necesarias.
- 4. Coloque su boleta marcada dentro del Sobre de Boleta. Coloque el Sobre de Boleta sellada dentro del Sobre de Envío. Selle todas las tiras de pegamento de su Sobre de Envío antes de firmar sobre la solapa sellada.
- 5. Firme su nombre junto a la "X" grande del Sobre de Envío. Si usted no puede firmar su nombre, debe tener a una persona que atestigüe su marca. Si no puede hacer una marca, el testigo debe indicarlo en la sección de testigos del Sobre de Envío y completar la sección correspondiente en el reverso del Sobre de Envío.
- 6. Si una persona le ayuda a leer o marcar su boleta o deposita su Sobre de Envío en el correo o se lo entrega a un transportista común o contratado, dicha persona DEBE firmar el Juramento de Asistencia por escrito que forma parte del certificado en su Sobre de Envío, e incluir un nombre en letra de molde, la dirección de residencia, la relación con usted y si recibió o aceptó algún tipo de compensación u otro beneficio de un candidato, campaña o comité político a cambio de prestar asistencia. El hecho de que el asistente no proporcione esta información es un delito, a menos que la persona sea uno de ciertos parientes cercanos del votante que viva físicamente en la misma vivienda, y puede resultar en que su boleta sea rechazada. El delito es un crimen de cárcel estatal. Para obtener información adicional sobre los procedimientos para asistentes, consulte la carta de "Estimado Votante" incluida con sus materiales de votación.

¿Cómo Devuelvo Mi Boleta Marcada al Secretario de Votación Adelantada?

- 1. Por correo a través del Servicio Postal de los Estados Unidos;
- 2. Por Medio de un Transportista Común o Contratado (por ejemplo, un servicio de correo o mensajería proporcionado por una empresa privada. Para obtener más información sobre este método de envío, consulte las "Normas Especiales Para La Entrega Por Parte De Los Transportistas Comunes y Contractuales" a continuación); O
- 3. Entregado en mano, en persona, por el votante el Día de las Elecciones, en la oficina del Secretario de Votación Adelantada.

 Sólo puede entregar en mano su propio Sobre de Envío y no el Sobre de Envío de otra persona. La entrega en mano de una Boleta por Correo sólo puede hacerse el Día de las Elecciones, y el Sobre de Envío debe entregarse en la oficina del Secretario de Votación Adelantada. Se le pedirá que presente una forma aprobada de identificación con fotografía enumerada en la Sección 63.0101(a) del Código Electoral de Texas. Si no posee y no puede razonablemente obtener una forma aprobada de identificación con fotografía, el votante puede ejecutar una Declaración de Impedimento Razonable y proporcionar una forma de identificación adicional enumerada en la Sección 63.0101(b) del Código Electoral de Texas. Además, si tiene un Certificado de Registro Electoral que contiene la anotación de Exención por Discapacidad (E), puede presentarlo. Debe firmar una lista de firmas.

El Sobre de Envío sólo puede contener la boleta de un votante. Sin embargo, se puede colocar más de un Sobre de Envío juntos en otro sobre con fines de envío si los Sobres de Envío adicionales pertenecen a una o varias personas registradas para votar en la misma dirección (§ 86.006(b), Código Electoral de Texas). Un Sobre de Envío no puede ser recolectado y almacenado en otro lugar para su posterior entrega al Secretario de Votación Adelantada. Es un delito penal que una persona posea a sabiendas una boleta oficial o un Sobre de Envío oficial provisto de conformidad con este código de otro individuo sin completar la porción del asistente del Sobre de Envío, a menos que la persona sea uno de ciertos parientes cercanos del votante, que viva físicamente en la misma vivienda, un Secretario de Votación Adelantada o el Secretario de Votación Adelantada Suplente, o un empleado del Servicio Postal de los Estados Unidos u otro empleado de servicio de entrega trabajando en el curso normal de su trabajo. También es un delito ser compensado por depositar Sobres de Envío que contengan boletas votadas por otras personas (§ 86.0052, Código Electoral de Texas). SI SU BOLETA ES DEVUELTA POR UN MÉTODO NO AUTORIZADO, NO SE CONTARÁ.

¿Cuál es la Fecha Límite para Devolver Mi Boleta por Correo?

Una boleta que es enviada por correo o entregada por medio de un transportista común o contratado pero que no tenga un matasellos o un recibo de entrega debe ser recibida por el Secretario de Votación Adelantada a más tardar a las 7:00 p.m. el Día de las Elecciones.

Una boleta que es enviada por correo o entregada por medio de un transportista común o contratado dentro de los Estados Unidos que tenga un matasellos o que esté acompañada por un recibo de entrega que indique que el votante envió la boleta para su entrega a más tardar a las 7:00 p.m. el Día de las Elecciones debe ser recibida a más tardar a las 5:00 p.m. del día hábil siguiente al Día de las Elecciones. Una boleta entregada en mano debe ser recibida por el Secretario de Votación Adelantada a más tardar a las 7:00 p.m. el Día de las Elecciones.

Una boleta que es enviada por correo desde el <u>extranjero</u> que tenga un matasellos o que esté acompañada por un recibo de entrega que indique que el votante envió la boleta para su entrega a más tardar a las 7:00 p.m. el Día de las Elecciones debe llegar a más tardar del 5º día siguiente al Día de las Elecciones, si dicho 5º día es un día de fin de semana o un día festivo).

NORMAS ESPECIALES PARA LA ENTREGA POR PARTE DE LOS TRANSPORTISTAS COMUNES Y CONTRACTUALES (§§ 81.005 y 86.006, Código Electoral de Texas)

- 1. Si utiliza un transportista común o contratado para enviar su boleta, el transportista debe ser una empresa de buena fe y con ánimo de lucro cuyo servicio principal sea el transporte o la entrega de artículos a cambio de una remuneración.
- 2. Si devuelve el Sobre de Envío por medio de un transportista común o contratado, su Sobre de Envío debe ir acompañado de un recibo de entrega cuando se le entregue al Secretario de Votación Adelantada. El recibo debe indicar el nombre y la dirección de la persona que entregó el Sobre de Envío al transportista común o contratado, así como la fecha, la hora y la dirección en la que el transportista común o contratado recibió el Sobre de Envío.
- 3. Su boleta <u>no</u> se contará si es recogida por un transportista común o contratado en la oficina de un partido político o de un candidato, en la oficina de un comité político con propósitos específicos o generales que participe en la elección, una entidad que haya solicitado celebrar la elección (a menos que la entrega sea un reenvío al Secretario de Votación Adelantada), o el hogar de un candidato, a menos que la dirección del candidato sea también la dirección del votante.

Si tiene alguna pregunt	ta sobre la devolucio	ón de su Sobre	de Envío, po	r favor comu	níquese con l	la oficina del	Secretario de	Votación
Adelantada al ()							

Si cree que sus derechos electorales han sido violados o abusados, puede reportar esos incidentes a la Secretaría de Estado llamando al teléfono gratuito 1-800-252-VOTE (8683) o enviando un correo electrónico a <u>elections@sos.texas.gov</u>

Dear Voter:

Thank you for choosing to participate in this election by voting by mail. When you vote by mail, you may take the following steps to protect your ballot and your vote.

1. Know your rights as a voter and be careful about assistance: You have the right to vote for the candidates of your choice. No one should help you with your ballot, unless you cannot read the language written on the ballot or unless you have a disability that makes you unable to write or to see. If one of these conditions applies to you, we recommend that you ask a family member or trusted friend for assistance with your ballot.

Your vote is secret. It is a crime for that person to reveal how or for whom you voted. The person assisting you must mark your ballot according to your instruction and cannot suggest how you should vote. The assistant must place his or her name, address, and signature on the carrier envelope. Before your ballot is counted, the signature on your mail-in ballot application will be compared with the signature on your carrier envelope to verify that both signatures were executed by the same person, unless signed by a witness.

If anyone attempts to pressure or intimidate you, we urge you to report this to our office, your district attorney, or the Secretary of State's office at 1-800-252-VOTE (8683).

- 2. Mail your own ballot: If you can't mail your own ballot, give your ballot to a family member or trusted friend to mail for you. Do not accept offers from strangers to mail your ballot. For elections in which the ballot is mailed by your county, you may track the location and status of your mail ballot by visiting the Secretary of State's website at www.votetexas.gov and select 'Track My Ballot.' In order to view this information, you will need to provide the last four digits of your Social Security number and your driver's license number or personal identification card number issued by the Department of Public Safety.
- 3. Don't wait until the last minute: It takes time for the Post Office to deliver your ballot. Unless an exception applies, a ballot postmarked by Election Day (Tuesday, March 1, 2022) must be received by the early voting clerk no later than 5:00 pm on Thursday, March 3, 2022. If there is no postmark, the early voting clerk must receive these ballots by 7:00 pm on Election Day. Please see the insert included with your balloting materials for other deadlines regarding military or overseas voters who submitted a Federal Post Card Application (FPCA) or voters who are overseas and submitted an Application for Ballot by Mail (ABBM).

NOTE: If you received ballots and balloting materials from more than one political subdivision, please be very sure to check the name of the election on the top of the ballot before you seal it in the ballot secrecy envelope, and match it to the name of the election that appears on the bottom, right side of the back of the carrier envelope, to make sure that you are returning each ballot in the correct carrier envelope for that ballot. This will ensure that each ballot is delivered to the proper early voting clerk. DO NOT put more than one ballot in the carrier envelope.

Early voting in person begins February 14, 2022 and continues through February 25, 2022. Election Day is March 1, 2022. You may contact your county election office for the locations and hours of operation for your

early voting sites. If you change your mind about voting by mail and prefer to vote in person during the early voting period or on Election Day, you must take your mail ballot with you and cancel it at the polling place.
Sincerely,

County Election Official

Estimado votante:

Gracias por haber elegido participar en esta elección votando por correo. Cuando vote por correo, puede tomar las siguientes medidas para proteger su boleta y su voto.

1. Conozca sus derechos como votante y tenga cuidado con la asistencia: Tienes derecho a votar por los candidatos de su elección. Nadie debe ayudarle con su boleta, a menos que no pueda leer el idioma escrito en la boleta o que tenga una discapacidad que le impida escribir o ver. Si una de estas condiciones se aplica a usted, le recomendamos que pida ayuda con su boleta a un familiar o a un amigo de confianza.

Su voto es secreto. Es un delito que esa persona revele cómo o por quién ha votado. La persona que le asiste debe marcar su boleta según sus instrucciones y **no puede sugerirle cómo debe votar**. El asistente debe colocar su nombre, dirección y firma en el sobre de envío. Antes de que se cuente su boleta, la firma en su solicitud de boleta postal se comparará con la firma en su sobre de envío para verificar que ambas firmas fueron ejecutadas por la misma persona, a menos que hayan sido firmadas por un testigo.

Si alguien intenta presionarle o intimidarle, le instamos a que lo comunique a la oficina electoral de su condado, a su fiscal de distrito o la oficina de la Secretaria Del Estado al 1-800-252-VOTE (8683).

- 2. Envié su propia boleta: Si no puede enviar su propia boleta por correo, entréguesela a un familiar o amigo de confianza para que la envíe por correo por ti. No acepte ofertas de extraños para enviar su boleta por correo. Para las elecciones en las que la boleta es enviada por correo por su condado, puede rastrear la ubicación y el estado de su boleta postal visitando el sitio web del Secretario de Estado en www.votetexas.gov y seleccionando 'Track My Ballot.' Para ver esta información, tendrá que proporcionar los últimos cuatro dígitos de su número de Seguro Social y el número de su licencia de conducir o de su tarjeta de identificación personal emitida por el Departamento de Seguridad Pública.
- 3. No esperes hasta el último minuto: La Oficina de Correos demora en entregar su boleta. A menos que se aplique una excepción, una boleta matasellada antes del Día de las Elecciones (martes, 1 de marzo de 2022) debe ser recibida por el secretario de votación adelantada a más tardar a las 5:00 pm del jueves, 3 de marzo de 2022. Si no hay matasellos, el secretario de votación adelantada debe recibir estas boletas a más tardar a las 7:00 pm el Día de las Elecciones. Por favor, vea el inserto incluido con sus materiales de votación para otras fechas límite con respecto a los votantes militares o en el extranjero que presentaron una Solicitud de Tarjeta Postal Federal (FPCA por sus siglas en inglés) o los votantes que están en el extranjero y presentaron una Solicitud de Boleta Postal (ABBM por sus siglas en inglés).

NOTA: Si recibió boletas y materiales de votación de más de una subdivisión política, asegúrese de verificar el nombre de la elección que figura en la parte superior de la boleta antes de sellarla en el sobre secreto, y de que coincida con el nombre de la elección que aparece en la parte inferior derecha del reverso del sobre de envío, para asegurarse de que está devolviendo cada boleta en el sobre de envío correcto para esa boleta. Esto asegurará que cada boleta se entregue al secretario de votación adelantada apropiado. **NO** ponga más de una boleta en el sobre de envío.

La votación adelantada en persona comienza el 14 de febrero de 2022 y continúa hasta el 25 de febrero de 2022. El Día de las Elecciones es el 1 de marzo de 2022. Puede comunicarse con la oficina electoral de su condado para conocer los lugares y el horario de operación de sus sitios de votación adelantada. Si usted cambia de parecer con respecto a la votación por correo y prefiere votar en persona durante el período de votación adelantada o el Día de las Elecciones, debe llevar su boleta postal y cancelarla en el centro de votación.

Atentamente.

County Election Official

6-36
Prescribed by Secretary of State
Section 86.013, Texas Election Code
01/2022

INFORMATION ABOUT RETURNING YOUR FPCA CARRIER ENVELOPE

Signing and Sealing the FPCA Carrier Envelope/Returning the Official Election Signature Sheet for an FPCA Voter

NOTE: If you do not use the Official Carrier Envelope to return your marked ballot, you must include the FPCA Signature Sheet in the FPCA Postage-Paid Envelope or other envelope you use to return your ballot.

- 1. REQUIRED INFORMATION UNDER SECTION 86.002 OF THE ELECTION CODE: You MUST provide one of the following numbers that is associated with your voter registration record in the appropriate place on the Carrier Envelope or Signature Sheet: Texas Driver's License, Personal Identification Card or Election Identification Certificate Number issued by the Department of Public Safety. If you have not been issued one of these numbers, you may give the last four digits of your Social Security Number.
- 2. If you have not been issued a Texas Driver's License, Personal Identification Card or Election Identification Certificate Number issued by the Department of Public Safety or a Social Security Number, check the box indicating this fact. The ID that you use for the purpose of fulfilling these identity requirements may be expired if the license or identification is otherwise valid.
- 3. When the Carrier Envelope is sealed, your information will be hidden from view during the mailing process. Your personal identification numbers will reviewed by authorized election officials to determine if the number you provided matches the number on your voter registration record. If the number you provided is incomplete or does not match your voter registration record, you will be notified of this defect and given the opportunity to make any necessary corrections.
- 4. Place your marked ballot inside the Ballot Envelope. Place the sealed Ballot Envelope inside the Carrier Envelope. Seal any and all glue strips on your Carrier Envelope before signing across the sealed flap. If using the Signature Sheet, please wrap it around the envelope used for secrecy.
- 5. Sign your name next to the large "X" on the Carrier Envelope or Signature Sheet. If you cannot sign your name, you must have a person witness your mark. If you cannot make a mark, the witness must indicate this in the witness section of the Carrier Envelope/Signature Sheet and complete the applicable section on the back of the Carrier Envelope or on the Signature Sheet.
- 6. If a person assists you with reading or marking your ballot, deposits your Carrier Envelope/envelope with your marked ballot in the mail or delivers your ballot to a common or contract carrier, that person MUST sign the written Oath of Assistance that is part of the certificate on your Carrier Envelope or Signature Sheet, and include a printed name, residence address, relationship to you and whether he or she received or accepted any form of compensation or other benefit from a candidate, campaign, or political committee in exchange for providing assistance. Failure of the assistant to provide this information is a crime unless the person is one of certain close relatives of the voter or physically living in the same dwelling, and may result in your ballot being rejected. The offense is a state jail felony. For additional information on assistance procedures, please see the "Dear Voter" letter included with your balloting materials.

How Do I Return My Marked Ballot to the Early Voting Clerk?

- 1. By Mail through the United States Postal Service;
- 2. By Common or Contract Carrier (e.g., a mail or courier service provided by a private business).

 For more information on this delivery method, see "Special Rules for Delivery by Common and Contract Carriers," below.); OR
- 3. Hand Delivered, in person, by the Voter on Election Day, to the Early Voting Clerk's office.

You may only hand-deliver **your own** Carrier Envelope/envelope with your marked ballot and not for another individual. Hand delivery of a Ballot by Mail may only be made on Election Day, and the Carrier Envelope/envelope with a marked ballot must be delivered to the Early Voting Clerk's office. You will be asked to present an acceptable form of photo ID listed in Section 63.0101(a) of the Texas Election Code. If you do not possess and cannot reasonably obtain an acceptable form of photo ID, you can execute a Reasonable Impediment Declaration and provide a supporting form of identification listed in Section 63.0101(b) of the Texas Election Code. Also, if you have a Voter Registration Certificate containing the Disability Exemption (E) notation, you may present it. You must sign a signature roster.

The Carrier Envelope/envelope with a marked ballot may only contain one voter's ballot. However, more than one Carrier Envelope/envelope with a marked ballot may be placed together in another envelope for mailing purposes if the additional envelope(s) belong(s) to a person(s) registered to vote at the same address (§ 86.006(b), Texas Election Code). A Carrier Envelope/envelope with a marked ballot may not be collected and stored at another location for subsequent delivery to the Early Voting Clerk. It is a criminal offense for someone to knowingly possesses an official ballot or official Carrier Envelope provided under this Code of another individual without completing the assistant portion of the Carrier Envelope/Signature Sheet, unless the person is one of certain close relatives of the voter, physically living in the same dwelling, an Early Voting Clerk or Deputy Early Voting Clerk, or a U.S. Postal service or other delivery service employee working in the normal course of his or her job. It is also a criminal offense to be compensated for depositing Carrier Envelopes/envelopes containing marked ballots in the mail or with a common or contract carrier. (§ 86.0052, Texas Election Code). IF YOUR BALLOT IS RETURNED BY AN UNAUTHORIZED METHOD, IT WILL NOT BE COUNTED.

What is the Deadline to Return my Ballot by Mail?

For Non-Military Overseas Voters

A ballot that is mailed or delivered by common or contract carrier but does not have a postmark or delivery receipt must be received by the Early Voting Clerk no later than 7:00 p.m. on Election Day.

A ballot that is mailed from overseas and is postmarked or accompanied by a delivery receipt showing the voter submitted the ballot for delivery by 7:00 p.m. on Election Day must arrive no later than the 5th day after Election Day (or the next business day after the 5th day after Election Day, if the 5th day falls on a weekend or holiday).

For Members of the Armed Forces of the United States, or the Spouse or Dependent of a Member of the Armed Forces, Members of the Merchant Marines of the United States, or the Spouse or Dependent of a Member of the Merchant Marine, Members of the National Guard, or the spouse or dependent of a Member of the National Guard

The Carrier Envelope/envelope containing the marked ballot must be received by the Early Voting Clerk **no later than the 6th day after Election Day** (or the next business day after the 6th day after Election Day, if the 6th day falls on a weekend or holiday). **No postmark is required on the Carrier Envelope/envelope with a marked ballot for this category of voter.**

For all FPCA voters, a ballot that is hand delivered can only be delivered on Election Day and must be received by the Early Voting Clerk no later than 7:00 p.m. on Election Day.

SPECIAL RULES for Delivery by COMMON AND CONTRACT CARRIERS (§§ 81.005 and 86.006, Texas Election Code)

- 1. If you use a common or contract carrier to return your ballot, the carrier must be a bona fide, for profit business whose primary service is transporting or delivering items.
- 2. If you return your Carrier Envelope/envelope with your marked ballot by common or contract carrier, your Carrier Envelope/envelope with your marked ballot must be accompanied by a delivery receipt when delivered to the Early Voting Clerk. The receipt must indicate the name and address of the person who delivered the Carrier Envelope/envelope with a marked ballot to the common or contract carrier, and the date, hour, and address where the Carrier Envelope/envelope with a marked ballot was received by the common or contract carrier.
- 3. Your ballot will not be counted if it is picked up by a common or contract carrier at an office of a political party or candidate, office for a specific-purpose or general purpose political committee involved in the election, an entity that requested the election be held (unless the delivery is a forwarding to the Early Voting Clerk), or a candidate's house unless the address of the candidate is your address.

If you have any questions about returning your Carrier Envelope/envelope with your marked ballot, please contact the Early Voting Clerk's office at

If you feel that your voting rights have been violated or abused, you may report these incidents to the Secretary of State toll-free at 1-800-252-VOTE (8683) or elections@sos.texas.gov

INFORMACIÓN SOBRE LA DEVOLUCIÓN DE SU SOBRE DE ENVÍO DE FPCA

Cómo Sellar y Firmar el Sobre de Envío de FPCA/Devolución de la Hoja Oficial de Firma Electoral Para Un Votante de FPCA

NOTA: Si no utiliza el Sobre de Envío Oficial para devolver su boleta marcada, debe incluir la Hoja de Firma de la FPCA en el Sobre con Franqueo Pagado de la FPCA o en otro sobre que utilice para devolver su boleta.

- 1. Información Requerida Según la Sección 86.002 del Código Electoral: Usted DEBE proporcionar uno de los siguientes números que está asociado con su registro de votante en el lugar apropiado en el Sobre de Envío u Hoja de Firma: Licencia de Conducir de Texas, Tarjeta de Identificación Personal o Número de Certificado de Identificación Electoral emitido por el Departamento de Seguridad Pública. Si no se le ha emitido uno de estos números, puede dar los últimos cuatro dígitos de su Número de Seguro Social.
- 2.Si no se le ha emitido una Licencia de Conducir de Texas, una Tarjeta de Identificación Personal o un Número de Certificado de Identificación Electoral emitido por el Departamento de Seguridad Pública o un Número de Seguro Social, marque la casilla que indica este hecho. El documento de identidad que utilice para cumplir con estos requisitos de identidad puede estar caducado si la licencia o identificación es válida de otra manera.
- 3. Cuando el Sobre de Envío esté cerrado, su información quedará oculta durante el proceso de envío. Sus números de identificación personal serán revisados por funcionarios electorales autorizados para determinar si el número que ha proporcionado coincide con el de su registro de votante. Si el número que ha proporcionado está incompleto o no coincide con su registro de votante, se le notificará de este defecto y se le dará la oportunidad de hacer las correcciones necesarias.
- 4. Coloque su boleta marcada dentro del Sobre de Boleta. Coloque el Sobre de Boleta sellada dentro del Sobre de Envío. Selle todas las tiras de pegamento de su Sobre de Envío antes de firmar **sobre la solapa sellada.** Si utiliza la Hoja de Firma, envuélvala alrededor del sobre utilizado para el secreto.
- 5. Firme su nombre junto a la "X" grande del Sobre de Envío u Hoja de Firma. Si usted no puede firmar su nombre, debe tener a una persona que atestigüe su marca. Si no puede hacer una marca, el testigo debe indicarlo en la sección de testigos del Sobre de Envío/Hoja de Firma y completar la sección correspondiente en el reverso del Sobre de Envío o en la Hoja de Firma.
- 6. Si una persona le ayuda a leer o marcar su boleta o deposita su Sobre de Envío/sobre con la boleta marcada en el correo o se lo entrega a un transportista común o contratado, dicha persona DEBE firmar el Juramento de Asistencia por escrito que forma parte del certificado en su Sobre de Envío u Hoja de Firma, e incluir un nombre en letra de molde, la dirección de residencia, la relación con usted y si recibió o aceptó algún tipo de compensación u otro beneficio de un candidato, campaña o comité político a cambio de prestar asistencia. El hecho de que el asistente no proporcione esta información es un delito, a menos que la persona sea uno de ciertos parientes cercanos del votante o que viva físicamente en la misma vivienda, y puede resultar en que su boleta sea rechazada. El delito es un crimen de cárcel estatal. Para obtener información adicional sobre los procedimientos para asistentes, consulte la carta de "Estimado Votante" incluida con sus materiales de votación.

¿Cómo Devuelvo Mi Boleta Marcada al Secretario de Votación Adelantada?

- 1. Por correo a través del Servicio Postal de los Estados Unidos;
- 2. Por Medio de un Transportista Común o Contratado (por ejemplo, un servicio de correo o mensajería proporcionado por una empresa privada. Para obtener más información sobre este método de envío, consulte las "Normas Especiales Para La Entrega Por Parte De Los Transportistas Comunes y Contractuales" a continuación): O
- 3. Entregado en mano, en persona, por el votante el Día de las Elecciones, en la oficina del Secretario de Votación Adelantada.

 Sólo puede entregar en mano su propio Sobre de Envío/sobre con su boleta marcada y no para otra persona. La entrega en mano de una Boleta por Correo sólo puede hacerse el Día de las Elecciones, y el Sobre de Envío/sobre con la boleta marcada debe entregarse en la oficina del Secretario de Votación Adelantada. Se le pedirá que presente una forma aprobada de identificación con fotografía enumerada en la Sección 63.0101(a) del Código Electoral de Texas. Si no posee y no puede razonablemente obtener una forma aprobada de identificación con fotografía, el votante puede ejecutar una Declaración de Impedimento Razonable y proporcionar una forma de identificación adicional enumerada en la Sección 63.0101(b) del Código Electoral de Texas. Además, si tiene un Certificado de Registro Electoral que contiene la anotación de Exención por Discapacidad (E), puede presentarlo. Debe firmar una lista de firmas.
- El Sobre de Envío/sobre con la boleta marcada sólo puede contener la boleta de un votante. Sin embargo, se puede colocar más de un Sobre de Envío/sobre con la boleta marcada juntos en otro sobre con fines de envío si los sobres adicionales pertenecen a una o varias personas registradas para votar en la misma dirección (§ 86.006(b), Código Electoral de Texas). Un Sobre de Envío/sobre con la boleta marcada no puede ser recolectado y almacenado en otro lugar para su posterior entrega al Secretario de Votación Adelantada. Es un delito penal que una persona posea a sabiendas una boleta oficial o un Sobre de Envío oficial provisto de conformidad con este código de otro individuo sin completar la porción del asistente del Sobre de Envío/Hoja de Firma, a menos que la persona sea uno de ciertos parientes cercanos del votante, que viva físicamente en la misma vivienda, un Secretario de Votación Adelantada o el Secretario de Votación Adelantada Suplente, o un empleado del Servicio Postal de los Estados Unidos u otro empleado de servicio de entrega trabajando en el curso normal de su trabajo. También es un delito ser compensado por depositar Sobres de Envío/sobres con boletas marcadas que contengan boletas votadas por otras personas (§ 86.0052, Código Electoral de Texas). SI SU BOLETA ES DEVUELTA POR UN MÉTODO NO AUTORIZADO, NO SE CONTARÁ.

¿Cuál es la Fecha Límite para Devolver Mi Boleta por Correo?

Para los Votantes que no son Militares que Están en el Extranjero

Una boleta que es enviada por correo o entregada por medio de un transportista común o contratado pero que <u>no tenga un matasellos o un recibo</u> de entrega debe ser recibida por el Secretario de Votación Adelantada a más tardar a las 7:00 p.m. el Día de las Elecciones.

Una boleta que es enviada por correo desde el <u>extranjero</u> que tenga un <u>matasellos o que esté acompañada por un recibo de entrega</u> que indique que el votante envió la boleta para su entrega a más tardar a las 7:00 p.m. el Día de las Elecciones debe llegar a más tardar el 5º día siguiente al Día de las Elecciones, si dicho 5º día es un día de fin de semana o un día festivo).

Para los Miembros de las Fuerzas Armadas de los Estados Unidos, o el Cónyuge o Dependiente de un Miembro de las Fuerzas Armadas, Miembros de la Marina Mercante de los Estados Unidos, o el Cónyuge o Dependiente de un Miembro de la Marina Mercante, Miembros de la Guardia Nacional o el Cónyuge o Dependiente de un Miembro de la Guardia Nacional

El Sobre de Envío/sobre que contiene la boleta marcada debe ser recibido por el Secretario de Votación Adelantada a más tardar el 6º día siguiente al Día de las Elecciones (o el siguiente día hábil después del 6º día siguiente al Día de las Elecciones, si dicho 6º día es un día de fin de semana o un día festivo). No se requiere matasellos en el Sobre de Envío/sobre con la boleta marcada para esta categoría de votante.

Para todos los votantes de la FPCA, una boleta entregada en mano debe ser recibida por el Secretario de Votación Adelantada a más tardar a las 7:00 p.m. el Día de las Elecciones.

NORMAS ESPECIALES PARA LA ENTREGA POR PARTE DE LOS TRANSPORTISTAS COMUNES Y CONTRACTUALES (§§ 81.005 y 86.006, Código Electoral de Texas)

- 1. Si utiliza un transportista común o contratado para enviar su boleta, el transportista debe ser una empresa de buena fe y con ánimo de lucro cuyo servicio principal sea el transporte o la entrega de artículos a cambio de una remuneración.
- 2. Si devuelve el Sobre de Envío/sobre con su boleta marcada por medio de un transportista común o contratado, su Sobre de Envío/sobre con su boleta marcada debe ir acompañado de un recibo de entrega cuando se le entregue al Secretario de Votación Adelantada. El recibo debe indicar el nombre y la dirección de la persona que entregó el Sobre de Envío/sobre con la boleta marcada al transportista común o contratado, así como la fecha, la hora y la dirección en la que el transportista común o contratado recibió el Sobre de Envío/sobre con la boleta marcada.
- 3. Su boleta <u>no</u> se contará si es recogida por un transportista común o contratado en la oficina de un partido político o de un candidato, en la oficina de un comité político con propósitos específicos o generales que participe en la elección, una entidad que haya solicitado celebrar la elección (a menos que la entrega sea un reenvío al Secretario de Votación Adelantada), o el hogar de un candidato, a menos que la dirección del candidato sea también la dirección del votante.

Si tiene alguna pregunta so	ibre la devolución	de su Sobre de Env	io/sobre con la	boleta marcada,	por favor comu	iniquese con l	a oficina del S	ecretario
de Votación Adelantada al I	()							

Si cree que sus derechos electorales han sido violados o abusados, puede reportar esos incidentes a la Secretaría de Estado llamando al teléfono gratuito 1-800-252-VOTE (8683) o enviando un correo electrónico a electrónico a electrónico A = APPX - 1365

Exhibit 87

Message

From: Brandy Grimes [Brandy.Grimes@dentoncounty.gov]

Sent: 4/1/2022 7:25:46 PM

To: Christina Adkins [CAdkins@sos.texas.gov]; Frank Phillips [Frank.Phillips@dentoncounty.gov]

Subject: RE: Revised Carrier Envelope

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to <u>informationsecurity@sos.texas.gov</u>.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to <u>Informationsecurity@sos.texas.gov</u>.

Well, if the rejection notices are auto-generated (like they should be) with the reason of rejection based on how the rejected application is entered into the system, any change would result in a formatting change needed in the VR system. I just know that our vendor is slow to respond and when something changes like a form change, it takes a while to get an update. Maybe it wouldn't be a big deal.

Example: I still don't think that there is an option in Vemacs to specify which ID was included on the application that did not result in a match. They lump all ID forms into the same bucket.

- Brandy

From: Christina Adkins < CAdkins@sos.texas.gov>

Sent: Friday, April 1, 2022 2:11 PM

To: Brandy Grimes <Brandy.Grimes@dentoncounty.gov>; Frank Phillips <Frank.Phillips@dentoncounty.gov>

Subject: RE: Revised Carrier Envelope

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Never enter your password or other sensitive information on linked web pages contained in emails unless you are certain the web pages are safe. If you have questions or need assistance, please contact the Help Desk.

Kristi has been working with the offline vendors on changes, but I didn't think these edits would affect the changes they are working on.

What makes you think this would result in a change? I want to make sure I'm not missing anything...

From: Brandy Grimes < Brandy.Grimes@dentoncounty.gov>

Sent: Friday, April 1, 2022 2:06 PM

To: Christina Adkins <CAdkins@sos.texas.gov>; Frank Phillips <Frank.Phillips@dentoncounty.gov>

Subject: RE: Revised Carrier Envelope

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I do like the concept of the change. It lets the voter know what number they provided on the application and also what ID is associated on their record. We both know that they can't remember how they filled out the

defective application once it's sent. The proposed is a little confusing but I can't think of a better way to present this information. Maybe something like this?	
2. The Texas Personal Identification Number/ Texas Driver's License Number/ Last 4 digits of your Social Security Number/ Election Identification Certificate Number provided on your ABBM is NOT associate with your voter registration record:	d
The type of number associated with your voter registration record is the following: Texas Personal Identification Number Last 4 digits of your Social Security Number Texas Driver's License Number Election Identification Certificate Number	
Where the ID number they provided on the original application is circled?	
This change would likely result in a large programming change on the offline VR systems side though. Just something to keep in mind.	
- Brandy	
From: Christina Adkins < CAdkins@sos.texas.gov > Sent: Friday, April 1, 2022 1:52 PM To: Brandy Grimes < Brandy.Grimes@dentoncounty.gov >; Frank Phillips < Frank.Phillips@dentoncounty.gov > Subject: RE: Revised Carrier Envelope CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Never enter your password or other sensitive information on linked web pages contained in emails unless you are certain the web pages are safe. If you have questions or need assistance, please contact the Help Desk.	
I have one more sample for you to look at if you don't mind. It says final, but it's still very much in draft form. I can't figure out how to get fewer words on the page. It's so much for the voter to read.	**************************************
From: Brandy Grimes < Brandy.Grimes@dentoncounty.gov > Sent: Friday, April 1, 2022 1:38 PM To: Christina Adkins < CAdkins@sos.texas.gov >; Frank Phillips < Frank.Phillips@dentoncounty.gov > Subject: RE: Revised Carrier Envelope	
CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please set this email as an attachment to	io:Dio:DioE
CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe, if you believe this to be a malicious or phishing email, please set this email as an attachment to	Burre

Good afternoon Christina. I think anything would help! Maybe if we could afford to install a buzzer that would alert them before sealing the envelope without completing the required info? © Seriously though, I think it's a great idea plus maybe a prescribed/suggested insert.

One item looking at the sample sent, I think the English wording has been pushed down too far and looks funky and cuts off the Spanish.

- Brandy

From: Christina Adkins < CAdkins@sos.texas.gov>

Sent: Friday, April 1, 2022 1:31 PM

To: Frank Phillips < Frank. Phillips@dentoncounty.gov>; Brandy Grimes < Brandy. Grimes@dentoncounty.gov>

Subject: Revised Carrier Envelope

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Never enter your password or other sensitive information on linked web pages contained in emails unless you are certain the web pages are safe. If you have questions or need assistance, please contact the Help Desk.

Hello Denton County!

Can you take a look at the attached document? I'm asking vendors if there will be a substantial price increase to put the personal identification numbers box in red. This has come up in some of our advisory group meetings.

This kind of edit to the design would not invalidate or render previous versions of the envelope unusable. This would be something counties could start using on their next printing of envelopes. I'm still talking with vendors about this change so it's not in any way final – We are just trying to get ahead of some of these issues before November.

Let me know what you think!!

Christina Worrell Adkins

Legal Director — Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov
For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Message

From: Elections Internet [Elections@sos.texas.gov]

Sent: 4/19/2022 3:50:30 PM

To: Elections Internet [Elections@sos.texas.gov]

Subject: MASS EMAIL (CC/EA/VR - 1078): Forms Release 4/19/2022

Attachments: 6-11 EVC Notice of Carrier Defect Mailed + Corrective Action Form (Spanish).pdf; 6-11 EVC Notice of Carrier Defect

Mailed +Corrective Action Form.pdf; 6-12 EVC Notice of Carrier Defect Phone + Corrective Action Form

(Spanish).pdf; 6-12 EVC Notice of Carrier Defect Phone +Corrective Action Form.pdf

Dear Election Officials:

As you know, under Section 86.011(d) of the Election Code, if an early voting clerk receives a timely carrier envelope that does not comply with the applicable requirements of the Code, the early voting clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. Additionally, the early voting clerk may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their Application for Ballot by Mail (ABBM) and vote in person. The early voting clerk may utilize this provision for defects such as a missing signature by the voter, missing or incomplete witness information, missing or incomplete assistant information, and missing or incorrect personal identification information. If a voter fails to return their voted ballot in a carrier envelope, the early voting clerk may also notify the voter of this defect.

As such, our office has released the following forms.

- EVC Notice of Carrier Defect Mailed with Corrective Action Form (Form 6-11)
- EVC Notice of Carrier Defect Phone with Corrective Action Form (Form 6-12)

These items are in the process of being posted to our website. When posted, the forms will be located in our **Election Forms** manual.

Please let us know if have any additional questions and concerns.

Heidi Martinez
Staff Attorney – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.state.tx.us/elections

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

AVISO DE DEFECTO DEL SOBRE DE ENVÍO POR EL SECRETARIO DE VOTACIÓN ADELANTADA SOBRE DE ENVÍO DEFECTUOSO DEVUELTO AL VOTANTE POR CORREO

Su Sobre de Envío ha sido recibido y revisado, pero está defectuoso por la(s) razón(es) marcada(s) a continuación. La ley de Texas le permite corregir ciertos defectos en su Sobre de Envío después de que la boleta marcada haya sido recibida por el Secretario de Votación Adelantada. Su Sobre de Envío se adjunta con este aviso para que pueda realizar la(s) corrección(es) necesaria(s). A continuación, hay una marca de verificación junto a la(s) razón(es) por la(s) que su Sobre de Envío era Defectuoso. ¡NO ABRA SU SOBRE DE ENVÍO NI RETIRE SU BOLETA DEL SOBRE DE ENVÍO!

LITTIO:	
1.	. El Sobre de Envío no estaba firmada.
2	2. El Sobre de Envío contenía información incompleta con respecto a un testigo.
3	3. El Sobre de Envío contenía información incompleta con respecto a un asistente.
4	La ley de Texas requiere que usted proporcione información de identificación que coincida con la información de identificación asociada con su registro de votante para poder votar por correo. Su Sobre de Envío tenía el siguiente defecto en cuanto a la información de identificación: Su Sobre de Envío no contenía su Número de Licencia de Conducir de Texas, su Número de Identificación Personal de Texas, su Número de Certificado de Identificación Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social; O El número proporcionado no coincidía con el número asociado con su registro de votante proporcionado por el Registrador de Votantes de su condado; O Si no se le expidió uno de los documentos con el número requerido, no indicó este hecho en el Sobre de Envío.
-/ -	

Cómo Corregir el Defecto de Su Sobre de Envío y Devolver su Boleta por Correo al Secretario de Votación Adelantada

Debe corregir el defecto directamente en el Sobre de Envío o utilizando el Formulario de Acción Correctiva que se
encuentra en el reverso de este aviso. Por favor, utilice el sobre proporcionado en este paquete para devolver el
Sobre de Envío (y el Formulario de Acción Correctiva, si lo ha utilizado) al Secretario de Votación Adelantada. El
sobre DEBE estar matasellado antes de las 7:00 p.m. del Día de las Elecciones y ser recibido por el Secretario de
Votación Adelantada a más tardar a las 5:00 p.m. del siguiente día hábil después del Día de las Elecciones.
También puede entregar en mano su Sobre de Envío corregido (y el Formulario de Acción Correctiva, si lo ha
utilizado) en la oficina del Secretario de Votación Adelantada el Día de las Elecciones entre las 7:00 a.m. y las 7:00
p.m. Sólo puede entregar en mano su propio Sobre de Envío.

Proceso de Corrección de Defectos por Número

- Defecto #1 Firme el Sobre de Envío o el Formulario de Acción Correctiva en el espacio designado.
- Defecto #2 Si utilizó un testigo para su Sobre de Envío porque no pudo firmar o hacer su marca y la información del testigo faltaba o estaba incompleta, pídale que complete la parte del testigo del Formulario de Acción Correctiva. Puede utilizar una persona diferente como testigo si la misma persona no está disponible.
 NOTA: Si ya no necesita un testigo, debe poder firmar el Sobre de Envío o el Formulario de Acción Correctiva en

la Casilla de Firma.

- **Defecto #3** Si utilizó un asistente para ayudarle a leer o marcar la boleta, pídale que rellene la parte del Formulario de Acción Correctiva correspondiente al asistente. El asistente debe completar toda la información, incluyendo la respuesta a la pregunta sobre si recibió una compensación u otro beneficio a cambio de su ayuda. La persona que le ayudó anteriormente debe ser la misma que complete la parte del asistente del Formulario de Acción Correctiva.
- **Defecto #4-** Complete la Casilla #4 del Formulario de Acción Correctiva que se encuentra en el reverso de esta notificación añadiendo sus datos de identificación personal.

<u>Cancelación de Su Boleta Postal</u> - Si no desea corregir el defecto en el Sobre de Envío, aún puede votar en persona cancelando su Boleta por Correo. Puede presentarse en un lugar de Votación Adelantada o en el Día de las Elecciones y entregar su Sobre de Envío con la boleta oficial dentro. Cuando entregue su Boleta por Correo, tendrá derecho a votar con una boleta regular. Si no entrega su Boleta por Correo, se le entregará una Boleta Provisional. **Usted puede seguir el progreso de su boleta durante el ciclo electoral ingresando al Rastreador de Boleta por Correo en votetexas.gov**

Para utilizar el Rastreador de Boleta por Correo, debe ingresar:

- Su Número de Licencia de Conducir de Texas o su Número de Tarjeta de Identificación Personal de Texas, Y
- Los últimos 4 dígitos de su Número de Seguro Social Y
- Su dirección de residencia tal y como figura en su registro de votante

Si tiene alguna pregunta o duda sobre cómo hacer una corrección en su Sobre de Envío, póngase en contacto con la Oficina del Secretario de Votación Adelantada en:

Número de Teléfono del Secretario Adelantada Firma del Secretario de Votación Adelantada Nombre del Secretario de Votación Adelantada en Letra de Molde Prescribed by the Secretary of State Section 86.011(d), Texas Election Code 4/2022

Authority Conducting the Election (Autoridad Administrando la Elección)	Date of Correction (Fecha de la Corrección)
Title of Election (Título de la Elección)	Printed Name of Early Voting Clerk's Representative Nombre de Representante del Secretario de Votación Adelantada

EARLY VOTING CLERK CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE FORMULARIO DE ACCIÓN CORRECTIVA DEL SECRETARIO DE VOTACIÓN ADELANTADA PARA EL SOBRE DE ENVÍO DEFECTUOSO Name of Voter (Nombre del Votante) Voter's VUID# (Número de registración del votante (VUID#)) Early Voting Clerk: Circle the number(s) to indicate the voter's Carrier Envelope Defect(s) Voter Did Not Sign the Carrier Envelope Certificate (El votante no firmó el Sobre de Envío) 2. Incomplete Information with Respect to a Witness (Información incompleta con respecto a un testigo) Signature of Witness (Firma del testigo) Printed Name of Witness (Nombre en letra de molde del testigo) Street Address of Witness (Domicilio residencial del testigo) 3. Incomplete Information with Respect to an Assistant (Información incompleta con respecto a un asistente) Signature of Assistant (Firma del asistente) Printed Name of Assistant (Nombre en letra de molde del asistente) **Street Address of Assistant** (Domicilio residencial del asistente) Relationship to Voter (Relación al votante) Did you receive compensation or other benefit from a candidate, campaign or political committee in exchange for providing assistance? Circle One: Yes No Recibió compensación u otro beneficio de un candidato, campaña o comité político a cambio de brindar asistencia? Marque con un circulo: Sí 4. Missing or Incorrect Personal Identification Numbers or Social Security Number (Números de Identificación Personal o Número de Seguro Social faltantes o incorrectos) Texas Driver's License or Texas Personal Identification Card **Last 4 Digits of Social Security Number** (Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas) (Los 4 últimos dígitos de número de Seguro Social) I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number No se me ha emitido una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o Número de Seguro Social , on ____/___ submit this form to correct the defect on my Carrier Envelope that was identified above. By my signature below, I attest that all information that I have given is true and correct. I certify that my marked ballot Signature Box Casilla de Firma expresses my wishes independent of any dictation or undue persuasion by any person. , en el día_ _ presento este formulario para corregir el defecto en mi Sobre de Envío que se identificó anteriormente. Con mi firma a continuación, doy fe de que toda la información que he dado es verdadera y correcta. Certifico que mi boleta marcada expresa mis deseos independientemente de ningún dictado o persuasión indebida por parte de cualquier persona). Signature of Voter (Firma del Votante) STATEMENT OF RESIDENCE (CONSTANCIA DE DOMICILIO PERMANENTE) For persons whose residence address does not match the voter registration address on the list of registered voters Para personas cuya dirección no coincide con la que aparece en la lista oficial de votantes inscritos Former Name Apellido Anterior Middle Name (if any) Last Name Include suffix, if any Apellido Incluir First Name Nombre de Pila sufijo, si lo hay (Jr., Sr., III) Segundo Nombre (si lo Residence Address: Street Address and Apartment Number, City State, and Zip. If none, describe where you live. (Do Gender (Optional) Sexo (Opcional) not include P.O. Box, Rural Route, or Business Address) Domicilio Residencial: Número y calle, y número de apartamento, П Male Masculino Ciudad, Estado, y Código Postal. (Si no existe un domicilio, describe donde vive (no incluva apartados postales, rutas rurales o dirección Female Femenino Mailing Address: Address, City, State, and Zip (If mail cannot be delivered to your residence Date of Birth: Month, Day, Year address) Dirección Postal: Número y calle, y número de apartamento, Ciudad, Fecha de Nacimiento: Mes. Día. Año Estado. y Código Postal (Si no se puede entregar correo en su domicilio residencial) City and County of Former Residence in City and County of Current Telephone Number (Optional) Include Area Code Residence in Texas Ciudad y Texas Ciudad y Condado de residencia anterior Teléfono (Opcional) - Incluya Código de Área Condado de residencia actual en Texas en Texas If you do not have a Texas Driver's License or Personal Identification Texas Driver's License Number or Texas Personal Identification Card Number (Issued Card, give the last 4 digits of your Social Security Number. Si no tiene by the Department of Public Safety) una Licencia de Conducir de Texas o número de Tarjeta de Número de Licencia de Conducir de Texas o Número de Tarjeta de Identificación Personal de Identificación Personal, proporcione los 4 últimos dígitos de su número Texas (Expedido por el Departamento de Seguridad Pública) de Seguro Social. I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number Yo no tengo una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o número de Seguro Social. I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to one year in jail, a fine up to \$4,000, or both. Please read all three statements to affirm before signing. Entiendo que el dar información falsa para obtener una tarjeta de registro electoral constituye un delito de perjurio bajo las leyes estatales y federales. La condena por este delito puede resultar en encarcela miento de hasta un año de cárcel, una multa de hasta \$4,000, o ambas cosas. Por favor, lea cada una de las tres declaraciones antes de firmar. I am a resident of this County and a U.S. citizen; and • I have not been finally convicted of a felony, or, if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. Soy residente de este condado y ciudadano de los Estados Unidos; y No he sido finalmente condenado por un delito grave, o si soy un delincuente, he purgado mi pena por completo, incluyendo cualquier plazo de encarcelamiento, libertad condicional, supervisión, periodo de libertad condicional, o he sido indultado; y No he sido determinado por un fallo final de un corte que ejerce la jurisdicción testamentaria que estoy totalmente incapacitado mentalmente o parcialmente incapacitado mentalmente sin derecho a voto Date: _ Χ

(fecha:)

Signature of Applicant or Agent and Relationship to Applicant or printed Name of Applicant if Signed by Witness and Date.

Firma del solicitante o su agente (apoderado) y relación de éste cor el policifante, An Prope X let a de Thode del solicitante si la firma es la de un testigo, y fecha.

6-11 Prescribed by the Secretary of State Section 86.011(d), Texas Election Code

NOTICE OF CARRIER DEFECT ISSUED BY THE EARLY VOTING CLERK Defective Carrier Envelope Returned to the Voter by Mail

Your Carrier Envelope has been received and reviewed, but is defective for the reason(s) provided below. Texas law allows you to correct certain defects on your Carrier Envelope after the marked ballot has been received by the Early Voting Clerk. Your Carrier Envelope is enclosed with this notice so that you can make the necessary correction(s).

There is a checkmark below next to the reason(s) that your Carrier Envelope was Defective. DO NOT OPEN YOUR CARRIER ENVELOPE OR REMOVE YOUR BALLOT FROM THE CARRIER ENVELOPE!

I OOK CA	MILE ENVELOYE ON REMIOVE TOOK DALEGY PROMITTIE CANNER ENVELOYE.
1.	The Carrier Envelope was not signed.
2.	The Carrier Envelope contained incomplete information with respect to a witness.
3.	The Carrier Envelope contained incomplete information with respect to an assistant.
	Texas law requires you to provide identification information which matches the identification information associated with your voter registration record in order to vote by mail. Your Carrier Envelope had the following defect regarding the identification information: Your Carrier Envelope did not contain your Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number or the Last 4 digits of your Social Security Number; OR The number provided did not match the number associated with your voter registration record as provided by your County's Voter Registrar; OR If you were not issued one of the documents with the required number, you did not indicate this fact on the Carrier Envelope.
How to Cor	rrect the Defect on Your Carrier Envelope and Return Your Mailed Ballot to the Early Voting Clerk
back of this Corrective A Election Day day. You ma	orrect the defect directly on the Carrier Envelope or by using the Corrective Action Form located on the notice. Please use the envelope provided in this packet to return the corrected Carrier Envelope (and Action Form if used) to the Early Voting Clerk. The envelope MUST be postmarked by 7:00 p.m. on y and received by the Early Voting Clerk no later than 5:00 p.m. the next business day after election ay also hand-deliver your corrected Carrier Envelope (and Corrective Action Form if used) to the Early C's Office on Election Day between 7:00 a.m. and 7:00 p.m. You may only hand-deliver your own Carrier
Defect Corr	rection Process by Number
 Defect Defect mark a portion availab Box in t Defect the ass answer providi assistar Defect persons 	#1 – Sign the Carrier Envelope or the Corrective Action Form in the designated space. #2 – If you used a witness for your Carrier Envelope because you were not able to sign or make your not the witness information was missing or incomplete, please ask the witness to complete the witness of of the Corrective Action Form. You may use a different person as a witness if the same person is not ble. NOTE: If you no longer need a witness, you must be able to sign the Carrier Envelope or the Signature the Corrective Action Form. #3 – If you used an assistant to help you read or mark the ballot, please ask the assistant to complete sistant portion of the Corrective Action Form. An assistant must complete all information, including ring the question about whether he/she received compensation or other benefit in exchange for an assistance. The person who previously assisted you must be the same person who completes the not portion of the Corrective Action Form. #4 – Complete Box #4 of the Corrective Action Form on the reverse side of this notice by adding your all identification information.
in person by surrender ye	Your Ballot by Mail - If you do not wish to correct the defect on the Carrier Envelope, you may still vote y cancelling your Ballot by Mail. You may appear at an Early Voting or Election Day polling place and our Carrier Envelope with the official ballot inside. Upon the surrender of your Ballot by Mail, you are yote a regular ballot. If you do not surrender your Ballot by Mail, you will be given a Provisional Ballot.
on votetexa To utilize th Your Tex The last	ack the progress of your ballot during the election cycle by logging on to the Ballot by Mail Tracker as.gov. The Ballot by Mail Tracker, you must enter: The Ballot by Mail Tracker The Bal
If you have	any questions or concerns about making a correction to your Carrier Envelope please contact the g Clerk's Office at:

Signature of Early Voting Clerk

Phone Number of Early Voting Clerk

Printed Name of Early Voting Clerk

Prescribed by the Secretary of State Section 86.011(d), Texas Election Code 4/2022 Authority Conducting the Election (Autoridad
Administrando la Elección)

Title of Election (Título de la Elección)

Printed Name of Early Voting Clerk's Representative
Nombre de Representante del Secretario de Votación Adelantada

EARLY VOTING CLERK CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE

FORMULARIO DE ACCIÓN CORRECTIVA DEL SECRETARIO DE VOTACIÓN ADELANTADA PARA EL SOBRE DE ENVÍO DEFECTUOSO

AVISO DE DEFECTO DEL SOBRE DE ENVÍO POR EL SECRETARIO DE VOTACIÓN ADELANTADA

SU BOLETA POR CORREO ESTÁ RETENIDA EN LA OFICINA DEL SECRETARIO DE VOTACIÓN ADELANTADA A LA ESPERA DE SER CORREGIDA Su Sobre de Envío ha sido recibido y revisado, pero está defectuoso por la(s) razón(es) marcada(s) a continuación. La ley de Texas le permite corregir ciertos defectos en su Sobre de Envío después de que la boleta marcada haya sido recibida por el Secretario de Votación Adelantada. Su Sobre de Envío está siendo retenido en la Oficina del Secretario de Votación Adelantada para que usted pueda hacer las correcciones necesarias porque no hubo tiempo suficiente para devolverle su Sobre de Envío por correo. A continuación, hay una marca de verificación junto a la(s) razón(es) por la(s) que su Sobre

1. El Sobre de Envío no estaba firmada.
1. Li Sobie de Envio no estaba minada.
2. El Sobre de Envío contenía información incompleta con respecto a un testigo.
3. El Sobre de Envío contenía información incompleta con respecto a un asistente.
4. La ley de Texas requiere que usted proporcione información de identificación que coincida con la información de identificación asociada con su registro de votante para poder votar por correo. Su Sob de Envío tenía el siguiente defecto en cuanto a la información de identificación: Su Sobre de Envío no contenía su Número de Licencia de Conducir de Texas, su Número de Identificación Personal de Texas, su Número de Certificado de Identificación Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social; O El número proporcionado no coincidía con el número asociado con su registro de votante proporcionado por el Registrador de Votantes de su condado; O
Si no se le expidió uno de los documentos con el número requerido, no indicó este hecho en el

Cómo Corregir el Defecto de Su Sobre de Envío Presentándose en Persona en la Oficina del Secretario de Votación Adelantada Puede corregir todos los defectos enumerados anteriormente completando el Formulario de Acción Correctiva que se encuentra en el reverso de este aviso. Usted DEBE entregar el Formulario de Acción Correctiva completado en persona a la Oficina del Secretario de Votación Adelantada antes de las 7:00 p.m. del Día de las Elecciones.

Proceso de Corrección de Defectos por Número

- Defecto #1 Firme el Formulario de Acción Correctiva en el espacio designado.
- Defecto #2 Si utilizó un testigo para su Sobre de Envío porque no pudo firmar o hacer su marca y la información del testigo faltaba o estaba incompleta, pídale que complete la parte del testigo del Formulario de Acción Correctiva. Puede utilizar una persona diferente como testigo si la misma persona no está disponible.
 - NOTA: Si ya no necesita un testigo, debe poder firmar el Formulario de Acción Correctiva en la Casilla de Firma.
- Defecto #3 Si utilizó un asistente para ayudarle a leer o marcar la boleta, pídale que rellene la parte del Formulario de Acción Correctiva correspondiente al asistente. El asistente debe completar toda la información, incluyendo la respuesta a la pregunta sobre si recibió una compensación u otro beneficio a cambio de su ayuda. La persona que le ayudó anteriormente debe ser la misma que complete la parte del asistente del Formulario de Acción Correctiva.
- Defecto #4- Complete la Casilla #4 del Formulario de Acción Correctiva que se encuentra en el reverso de esta notificación añadiendo sus datos de identificación personal O puede corregir el Defecto #4 en línea a través del Rastreador de Boleta por Correo de la Secretaría de Estado de Texas. Vea las instrucciones a continuación.

Corrección del Defecto #4 Usando el Rastreador de Boleta por Correo

Puede corregir el Defecto #4 en línea a través del Rastreador de Boleta por Correo de la Secretaría de Estado de Texas en www.votetexas.gov. Cuando ingrese al Rastreador de Boleta por Correo, tendrá la oportunidad de ingresar su(s) número(s) de identificación personal. Tanto el número de su Licencia de Conducir de Texas o de su Tarjeta de Identificación Personal de Texas COMO su número de Seguro Social deben estar asociados con su registro de votante para utilizar el Rastreador de Boleta por Correo. Una vez que su número de identificación personal sea validado por el Rastreador de Boleta por Correo, se procesará el Sobre de Envío que usted presentó previamente. Una vez que se haya revisado su acción correctiva, la fecha de revisión y el estado de su Sobre de Envío se mostrarán en el Rastreador de Boleta por Correo. No tiene que presentarse en persona en la Oficina del Secretario de Votación Adelantada si realiza su corrección en línea utilizando el Rastreador de Boleta por Correo.

Usted puede seguir el progreso de su boleta durante el ciclo electoral ingresando al Rastreador de Boleta por Correo en votetexas.gov. Para utilizar el Rastreador de Boleta por Correo, debe ingresar:

- Su Número de Licencia de Conducir de Texas o su Número de Tarjeta de Identificación Personal de Texas, Y
- Los últimos 4 dígitos de su Número de Seguro Social Y
- Su dirección de residencia tal y como figura en su registro de votante

Cancelación de Su Boleta Postal - Si no desea corregir el defecto, aún puede votar en persona cancelando su Boleta por Correo. Si cancela su Boleta por Correo en persona en la Oficina del Secretario de Votación Adelantada, se le entregará un Aviso de Boleta Postal Renunciada para que lo lleve al lugar de votación. Esto le da derecho a votar con una boleta regular. Si no cancela en la Oficina del Secretario de Votación Adelantada, podrá votar con una Boleta Provisional en el lugar de votación. No podrá votar en persona después del día de las elecciones.

Si tiene alguna pregunta o duda sobre cómo hacer una corrección en su Sobre de Envío, póngase en contacto con la Oficina del Secretario de Votación Adelantada en:

Número de Teléfono del Secretario Adelantada

Firma del Secretario de Votación Nombre del Secretario de Votación

Adelantada en Letra de Molde

Prescribed by the Secretary of State Section 86.011(d), Texas Election Code 4/2022

Authority Conducting the Election (Autoridad Administrando la Elección)	Date of Correction (Fecha de la Corrección)
Title of Election (Título de la Elección)	Printed Name of Early Voting Clerk's Representative Nombre de Representante del Secretario de Votación Adelantada

EARLY VOTING CLERK CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE

FORMULARIO DE ACCIÓN CORRECTIVA DEL SECRETARIO DE VOTACIÓN ADELANTADA PARA EL SOBRE DE ENVÍO DEFECTUOSO

Name o	of Voter (Nombre del Votante)	RKECTIVA DEL SECRETARIO	T	D# (Número de registracio	ón del votante (VUID#))
1.	Early Voting Clerk: Voter Did Not Sign the Carrier Envelop	Circle the number(s) to be Certificate (F) votante no			pe Defect(s)
2.	Incomplete Information with Respect				
	Signature of Witness (Firma del testigo	o)		Printed Name of Witnes	ss (Nombre en letra de molde del testigo)
	Street Address of Witness (Domicilio r	esidencial del testigo)			
3.	Incomplete Information with Respect		ón incompleto	a con respecto a un asister	nte)
	Signature of Assistant (Firma del asisto	ente)	P	rinted Name of Assistant	(Nombre en letra de molde del asistente)
	Street Address of Assistant (Domicilio Did you receive compensation or other be Recibió compensación u otro beneficio de u.	nefit from a candidate, campa		committee in exchange for	p to Voter (Relación al votante) providing assistance? Circle One: Yes No darque con un circulo: Sí No
4.	Missing or Incorrect Personal Identific (Números de Identificación Personal o				
			o	r (o)	
	Texas Driver's License or Texas Persor (Licencia de Conducir de Texas o Tarjet		ıl de Texas)	_	f Social Security Number dígitos de número de Seguro Social)
	I have not been issued a Texas				
	No se me ha emitido una Licencia de	······································			
Signature Box Casilla de Firma	I, identified above. By my signature bele expresses my wishes independent of a (Yo, que se identificó anteriormente. Con m que mi boleta marcada expresa mis des	ow, I attest that all informa iny dictation or undue pers , en el día// firma a continuación, doy j	ation that I has suasion by an pres fe de que tod	ave given is true and corro ny person. ento este formulario para ia la información que he do	corregir el defecto en mi Sobre de Envío ado es verdadera y correcta. Certifico
8 8			Х		
			Si	gnature of Voter (Firm	na del Votante)
	For persons whose residence		he voter regi	stration address on the lis	t of registered voters
Last Na	Para personas cuya me Include suffix, if any Apellido Incluir	dirección no coincide con la First Name Nombre de Pi		e en la lista oficial de votar Middle Name (if any)	Former Name Apellido Anterior
	b hay (Jr., Sr., III)	Thist Name Nombre de Pi	nu .	Segundo Nombre (si lo hay)	Torrier Name Apellido Anterior
8	nce Address: Street Address and Apartr				Gender (Optional) Sexo (Opcional)
1	le P.O. Box, Rural Route, or Business Address) Dor Estado, y Código Postal . (Si no existe un do o)				Male Masculino Female Femenino
	Address: Address, City, State, and Zip			Date of Birth: Month, D	
1	Dirección Postal: Número y calle, y núr y Código Postal (Si no se puede entregar corre		dad,	Fecha de Nacimiento: N	1es, Día, Año
Latuac,	y Courgo Postar (Si no se puede entregar corre	o en sa domicino residencial,		/	/
City and	d County of Former Residence in	City and County of Curre	nt	Telephone Number (Option	onal) Include Area Code
1 '	Ciudad y Condado de residencia anterior	Residence in Texas Ciuda Condado de residencia actua	ıd y	Teléfono (Opcional) – Incluya	
1	river's License Number or Texas Person	al Identification Card Num	n ber (Issued	-	Driver's License or Personal Identification
1 '	epartment of Public Safety) <i>de Licencia de Conducir de Texas o Número</i> :	de Tarieta de Identificación Pe	ersonal de		of your Social Security Number. Si no tiene e Texas o número de Tarieta de
	xpedido por el Departamento de Seguridad Pi		ersonar ac	Identificación Personal, pro	porcione los 4 últimos dígitos de su número
				de Seguro Social.	
	nave not been issued a Texas Driver's Li	cense or Personal Identific	ation Card o	r Social Security Number	
8 1 1	no tengo una Licencia de Conducir de Texas			•	-
1	stand that giving false information to p				
	sult in imprisonment up to one year in j formación falsa para obtener una tarjeta de n				
	en encarcela miento de hasta un año de cárce				
1	m a resident of this County and a U.S. ci	-			
1	ave not been finally convicted of a felor pervision, period of probation, or I have		пріетей ан от	my punishment including	g any term of incarceration, parole,
• i ha	ave not been determined by a final judg	ment of a court exercising	g probate juri	sdiction to be totally men	itally incapacitated or partially
1	entally incapacitated without the right t residente de este condado y ciudadano de lo				
1	he sido finalmente condenado por un delito g		he purgado mi į	pena por completo, incluyend	lo cualquier plazo de encarcelamiento,
1	ertad condicional, supervisión, periodo de libe	·			
1	he sido determinado por un fallo final de un c apacitado mentalmente sin derecho a voto	orte que ejerce la jurisdicción l	testamentaria i	que estoy totalmente incapac	citaao mentaimente o parcialmente
V	,			Date: /	/
X	,			Date:/ (fecha:)	_/

NOTICE OF CARRIER DEFECT ISSUED BY THE EARLY VOTING CLERK Your Ballot by Mail is Being Held at the Early Voting Clerk's Office Awaiting Correction

Your Carrier Envelope has been received and reviewed, but is defective for the reason(s) checked below. Texas law allows you to correct certain defects on your Carrier Envelope after the marked ballot has been received by the Early Voting Clerk. Your Carrier Envelope is being held at the Early Voting Clerk's Office so that you can make the necessary corrections because there was not sufficient time to return your Carrier Envelope to you by mail.

the necessary corrections because there was not sufficient time to return your Carrier Envelope to you by mail. There is a checkmark below next to the reason(s) that your Carrier Envelope was Defective: 1. The Carrier Envelope was not signed. 2. The Carrier Envelope contained incomplete information with respect to a witness. 3. The Carrier Envelope contained incomplete information with respect to an assistant. 4. Texas law requires you to provide identification information which matches the identification information associated with your voter registration record in order to vote by mail. Your Carrier Envelope had the following defect regarding the identification information: Your Carrier Envelope did not contain your Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number or the Last 4 digits of your Social Security Number: OR The number provided did not match the number associated with your voter registration record as provided by your County's Voter Registrar; OR If you were not issued one of the documents with the required number, you did not indicate this fact on the Carrier Envelope. How to Correct the Defect on Your Carrier Envelope by Appearing in Person at the Early Voting Clerk's Office You can correct all defects listed above by completing the Corrective Action Form on the back of this notice. You MUST deliver the completed Corrective Action Form in person to the Early Voting Clerk's Office by 7:00 p.m. on Election Day.

- <u>Defect Correction Process by Number</u>

 <u>Defect #1 Sign the Signature Box on the Corrective Action Form.</u>
- **Defect #2** If you used a witness for your Carrier Envelope because you were not able to sign or make your mark and the witness information was missing or incomplete, please ask the witness to complete the witness portion of the Corrective Action Form. You may use a different person as a witness if the same person is not available.
- NOTE: If you no longer need a witness, you must be able to sign the Signature Box in the Corrective Action Form.

 Defect #3 If you used an assistant to help you read or mark the ballot, please ask the assistant to complete the
- Defect #3 If you used an assistant to help you read or mark the ballot, please ask the assistant to complete the
 assistant portion of the Corrective Action Form. An assistant must complete all information, including answering
 the question about whether he/she received compensation or other benefit in exchange for providing assistance.
 The person who previously assisted you must be the same person who completes the assistant portion of the
 Corrective Action Form.
- Defect #4 Complete Box #4 of the Corrective Action Form on the reverse side of this notice by adding your
 personal identification information OR you may correct Defect #4 online through the Texas Secretary of State
 Ballot by Mail Tracker. See instructions below.

Correcting Defect #4 Using the Ballot by Mail Tracker

You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov. When you log into the Ballot by Mail Tracker, you will have the opportunity to enter your personal identification number(s). Both your Texas Driver's License or Texas Personal Identification Card number AND your Social Security number must be associated with your voter registration record to use the Ballot by Mail Tracker. Once your personal identification number is validated by the Ballot by Mail Tracker, the Carrier Envelope you previously submitted will be processed. Once your corrective action has been reviewed, the date of review and the status of your Carrier Envelope will be displayed on the Ballot by Mail Tracker. You do not have to appear in person at the Early Voting Clerk's Office to deliver the completed Corrective Action Form if you make your correction online by using the Ballot by Mail Tracker.

You can track the progress of your ballot during the election cycle by logging on to the Ballot by Mail Tracker on votetexas.gov. To utilize the Ballot by Mail Tracker, you must enter:

- Your Texas Driver's License Number or Texas Personal Identification Number, AND
- The last four digits of your social security number AND
- Your residence address as listed in your voter registration record

Cancelling Your Ballot by Mail - If you do not wish to correct the defect, you may still vote in person by cancelling your Ballot by Mail. If you cancel your Ballot by Mail in person at the Early Voting Clerk's Office, you will be given a Notice of Surrendered Ballot to take to the polls. This entitles you to vote a regular ballot. If you do not cancel at the Early Voting Clerk's Office, you will be able to vote a Provisional Ballot at the polling place. You may not vote in person after Election Day.

If you have any questions or concerns about making a correction to your Carrier Envelope please contact the Early Voting Clerk's Office at:

Phone Number of Early Voting Clerk	Signature of Early Voting Clerk	Printed Name of Early Voting Clerk

Prescribed by the Secretary of State Section 86.011(d), Texas Election Code 4/2022

Authority Conducting the Election (Autoridad Administrando la Elección)	Date of Correction (Fecha de la Corrección)
Title of Election (Título de la Elección)	Printed Name of Early Voting Clerk's Representative Nombre de Representante del Secretario de Votación Adelantada

EARLY VOTING CLERK CORRECTIVE ACTION FORM FOR DEFECTIVE CARRIER ENVELOPE

FORMULARIO DE ACCIÓN CORRECTIVA DEL SECRETARIO DE VOTACIÓN ADELANTADA PARA EL SOBRE DE ENVÍO DEFECTUOSO Name of Voter (Nombre del Votante) Voter's VUID# (Número de registración del votante (VUID#)) Early Voting Clerk: Circle the number(s) to indicate the voter's Carrier Envelope Defect(s) Voter Did Not Sign the Carrier Envelope Certificate (El votante no firmó el Sobre de Envío) 2. Incomplete Information with Respect to a Witness (Información incompleta con respecto a un testigo) Signature of Witness (Firma del testigo) Printed Name of Witness (Nombre en letra de molde del testigo) Street Address of Witness (Domicilio residencial del testigo) 3. Incomplete Information with Respect to an Assistant (Información incompleta con respecto a un asistente) Signature of Assistant (Firma del asistente) Printed Name of Assistant (Nombre en letra de molde del asistente) Street Address of Assistant (Domicilio residencial del asistente) Relationship to Voter (Relación al votante) Did you receive compensation or other benefit from a candidate, campaign or political committee in exchange for providing assistance? Circle One: Yes No Recibió compensación u otro beneficio de un candidato, campaña o comité político a cambio de brindar asistencia? Marque con un circulo: Sí 4. Missing or Incorrect Personal Identification Numbers or Social Security Number (Números de Identificación Personal o Número de Seguro Social faltantes o incorrectos) Texas Driver's License or Texas Personal Identification Card **Last 4 Digits of Social Security Number** (Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas) (Los 4 últimos dígitos de número de Seguro Social) I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number No se me ha emitido una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o Número de Seguro Social _, on ____/___ ____ submit this form to correct the defect on my Carrier Envelope that was identified above. By my signature below, I attest that all information that I have given is true and correct. I certify that my marked ballot expresses my wishes independent of any dictation or undue persuasion by any person. _, en el día_ _ presento este formulario para corregir el defecto en mi Sobre de Envío Casilla de F que se identificó anteriormente. Con mi firma a continuación, doy fe de que toda la información que he dado es verdadera y correcta. Certifico que mi boleta marcada expresa mis deseos independientemente de ningún dictado o persuasión indebida por parte de cualquier persona). Signature of Voter (Firma del Votante) STATEMENT OF RESIDENCE (CONSTANCIA DE DOMICILIO PERMANENTE) For persons whose residence address does not match the voter registration address on the list of registered voters Para personas cuya dirección no coincide con la que aparece en la lista oficial de votantes inscritos Middle Name (if any) Former Name Apellido Anterior Last Name Include suffix, if any Apellido Incluir sufijo, si First Name Nombre de Pila lo hay (Jr., Sr., III) Segundo Nombre (si lo Residence Address: Street Address and Apartment Number, City State, and Zip. If none, describe where you live. (Do not Gender (Optional) Sexo (Opcional) include P.O. Box, Rural Route, or Business Address) Domicilio Residencial: Número y calle, y número de apartamento, П Male Masculino Ciudad, Estado, y Código Postal. (Si no existe un domicilio, describe donde vive (no incluya apartados postales, rutas rurales o dirección de Female Femenino Mailing Address: Address, City, State, and Zip (If mail cannot be delivered to your residence Date of Birth: Month, Day, Year address) Dirección Postal: Número y calle, y número de apartamento, Ciudad, Estado, y Fecha de Nacimiento: Mes, Día, Año Código Postal (Si no se puede entregar correo en su domicilio residencial) City and County of Former Residence in Texas City and County of Current Telephone Number (Optional) Include Area Code Ciudad y Condado de residencia anterior en Texas Residence in Texas Ciudad y Teléfono (Opcional) - Incluya Código de Área Condado de residencia actual en Texas If you do not have a Texas Driver's License or Personal Texas Driver's License Number or Texas Personal Identification Card Number (Issued by Identification Card, give the last 4 digits of your Social Security the Department of Public Safety) Number. Si no tiene una Licencia de Conducir de Texas o número Número de Licencia de Conducir de Texas o Número de Tarjeta de Identificación Personal de de Tarjeta de Identificación Personal, proporcione los 4 últimos Texas (Expedido por el Departamento de Seguridad Pública) dígitos de su número de Seguro Social. I have not been issued a Texas Driver's License or Personal Identification Card or Social Security Number Yo no tengo una Licencia de Conducir de Texas o Tarjeta de Identificación Personal de Texas o número de Seguro Social. I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to one year in jail, a fine up to \$4,000, or both. Please read all three statements to affirm before signing. Entiendo que el dar información falsa para obtener una tarjeta de registro electoral constituye un delito de perjurio bajo las leyes estatales y federales. La condena por este delito puede resultar en encarcela miento de hasta un año de cárcel, una multa de hasta \$4,000, o ambas cosas. Por favor, lea cada una de las tres declaraciones antes de firmar. I am a resident of this County and a U.S. citizen; and I have not been finally convicted of a felony, or, if a felon, I have completed all of my punishment including any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. Soy residente de este condado y ciudadano de los Estados Unidos; y • No he sido finalmente condenado por un delito grave, o si soy un delincuente, he purgado mi pena por completo, incluyendo cualquier plazo de encarcelamiento, libertad condicional, supervisión, periodo de libertad condicional, o he sido indultado; y • No he sido determinado por un fallo final de un corte que ejerce la jurisdicción testamentaria que estoy totalmente incapacitado mentalmente o parcialmente incapacitado mentalmente sin derecho a voto Х Date: _ (fecha:) Signature of Applicant or Agent and Relationship to Applicant or printed Name of Applicant if Signed by Witness and Date.

5/18/23, 11:31 AM BallotTracker

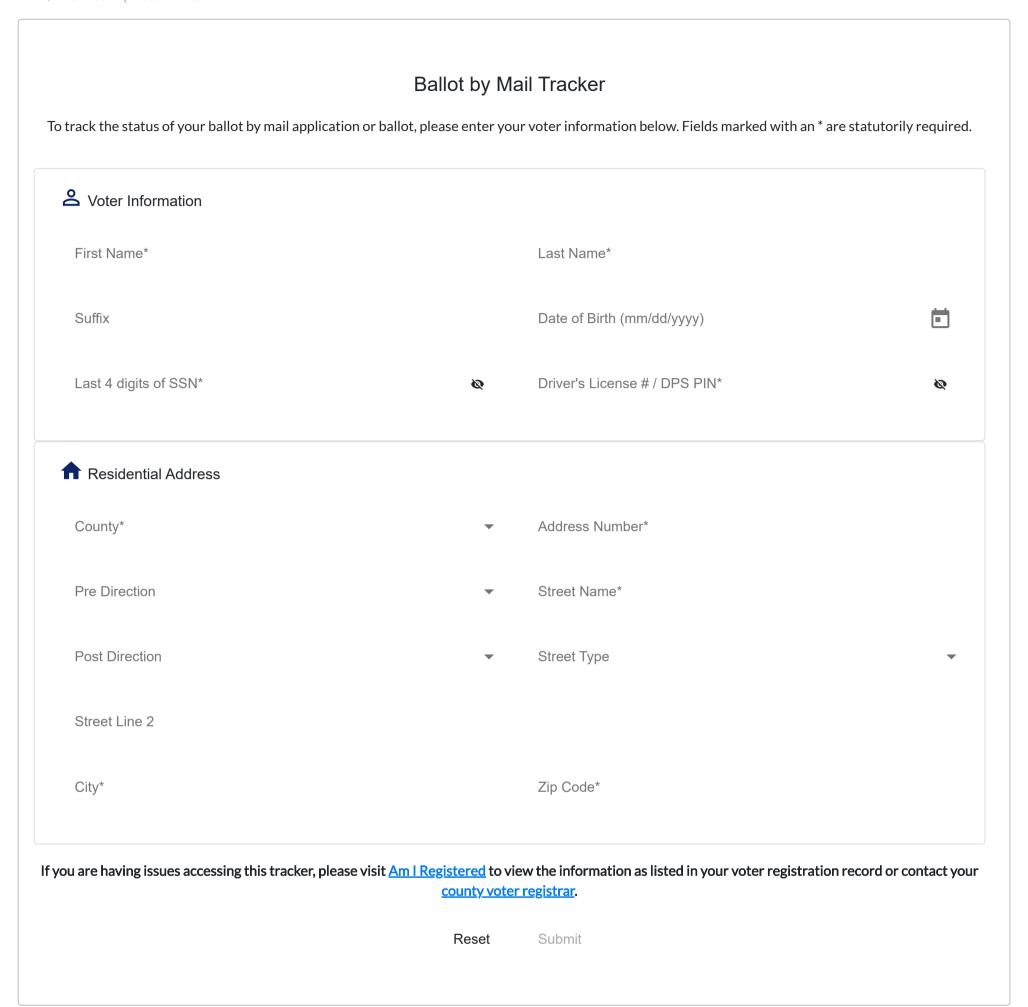
Texas Secretary of State



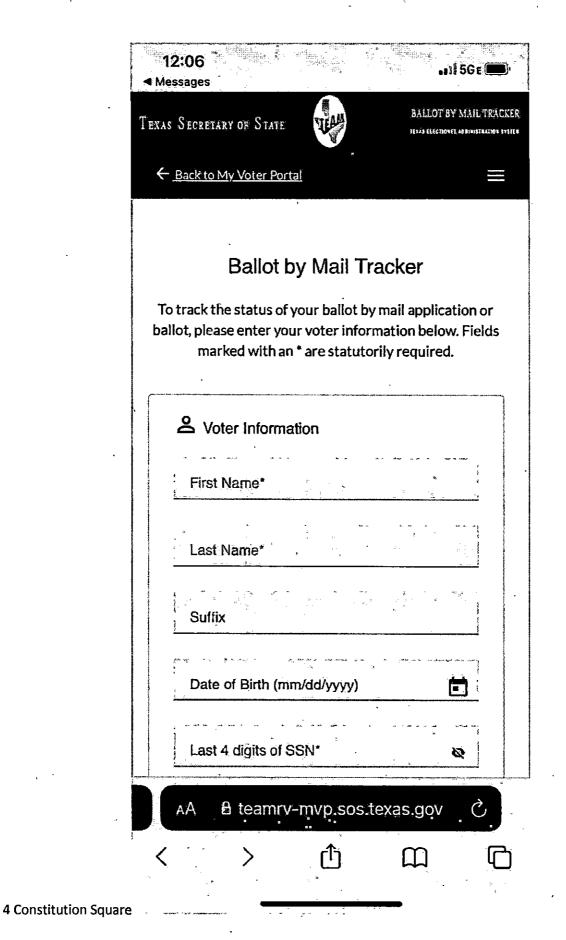
BALLOT BY MAIL TRACKER

TEXAS ELECTIONET ADMINISTRATION SYSTEM

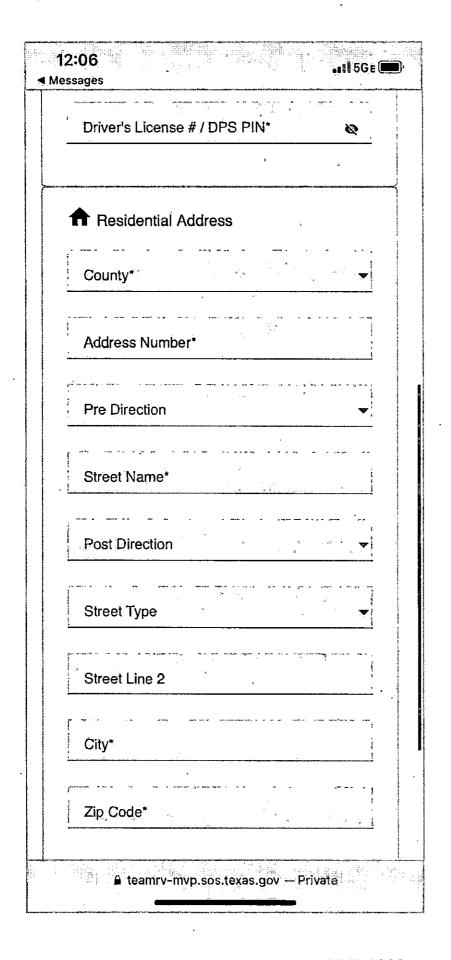
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OCA-APPX-1387 FOR I.D. 3-28-23 / 7)



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Message

From: Heidi Martinez [HMartinez@sos.texas.gov]

Sent: 11/8/2022 10:17:09 PM

To: 'jean.longoria@medinatx.org' [jean.longoria@medinatx.org]

CC: Elections Internet [Elections@sos.texas.gov]
Subject: Ballots Requiring Corrective Action (El Response)

Thank you for your inquiry.

The EVBB shall only accept a voted ballot by mail if, among other things, the personal identification information provided by the voter on the carrier envelope identifies the same voter identified on the voter's voter registration record. (Sec. 87.041(b)(8), Texas Election Code). This is addressed in our advisory here:

No.2022-08 - NEW LAW: Senate Bill 1 – Opportunity to Correct Defects on Application for a Ballot by Mail and *Carrier Envelope

Please note that the ballot tracker is not used to make edits/modifications to personal ID#s but to confirm that the information in TEAM is correct.

We hope this information will be helpful to you.

Heidi Martinez
Managing Attorney – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.state.tx.us/elections

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Jean.Longoria < <u>iean.longoria@medinatx.org</u>>

Sent: Thursday, November 3, 2022 9:31 AM

To: Elections Internet < <u>Elections@sos.texas.gov</u>>
Cc: Lupe.Torres < <u>lupe.torres@medinatx.org</u>>
Subject: Ballots Requiring Corrective Action

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to

Good morning,

I have a number of voters' ballots that require corrective action. All of them are ID related. Some have written their VUID numbers instead of the required ID or SSN. A couple have left off or transposed a digit(s). These voters' personal identifications numbers are correct in TEAM. If their ID numbers are correct, there is no corrective action to take on the Ballot Tracker. Once they have gotten into the Ballot Tracker, their ballot will show Received but it doesn't give them an option to "Correct" anything, since their information is already correct. Their mistake is a hand-written error. Shouldn't they be required to make that correction in person? I will receive nothing in the Ballot Tracker Records on the Dashboard to indicate they have attempted to make a correction since there is nothing to correct. The Notice of Carrier Defect is misleading in the fact that they cannot make all of their corrections for #4 through the Ballot Tracker. Please advise how to go forward with these voters who may have logged into the Ballot Tracker but no action was taken.

Thank you,

Jeanie L. Longoria

Jeanie L. Longoria Elections Clerk Medina County Elections Office 1300 Ave M, Rm 108 Hondo, TX 78861 (830) 741-6009



NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES

BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 4511 AUSTIN TX

POSTAGE WILL BE PAID BY ADDRESSEE

MILLS COUNTY
REGISTRAR OF VOTERS
PO BOX 56
GOLDTHWAITE TX 76844-9902







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Fold on line and seal before mailing

Qualifications

- You must register to vote in the county in which you reside.
- You must be a citizen of the United States.
- You must be at least 17 years and 10 months old to register, and you must be 18 years of age by Election Day.
- You must not be finally convicted of a felony, or if you are a felon, you must have completed all of your punishment, including any term of incarceration, parole, supervision, period of probation, or you must have received a pardon.
- You must not have been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote.

Filling out the Application

 Review the application carefully, fill it out, sign and date it and mail it to the voter registrar in your county or drop it by the Voter Registrar's office.

- All voters who register to vote in Texas must provide a Texas driver's license number or personal identification number issued by the Texas Department of Public Safety. If you don't have such a number, simply provide the last four digits of your social security number. If you don't have a social security number, you need to state that fact.
- Your voter registration will become effective 30 days after it is received or on your 18th birthday, whichever is later. Your registration must be effective on or before an election day in order to vote in that election.
- If you move to another county, you must re-register in the county of your new residence.

Please visit the Texas Secretary of State website, www.sos.state.tx.us, and for additional election information visit www.votetexas.gov.

Este formulario está disponible en español. Favor de llamar a su registrador de votantes local para conseguir una versión en español.

Residence Address: Street Address and Apartment Number. If none, describe where you live. (Do not include P.O. Box, Rural Rt. or Business Address) Residence Address: Street Address and Apartment Number. City County Zip Code		ase complete sections by printing Ll ase call your local voter registrar.		•	
Are you a United States Citizen?		These Questions Must	•		· · · · · · · · · · · · · · · · · · ·
Will you be 18 years of age on or before election day?		New Application		ime, Reque	st for a Replacement Card
If you checked 'No' in response to either of the above, do not complete this form. Are you interested in serving as an election worker? Yes	Are	you a United States Citizen?		Yes	III No
Are you interested in serving as an election worker? Yes	Will	l you be 18 years of age on or	before election day?	Yes	No No
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City TEXAS County City TEXAS County Zip Code	Are	you interested in serving as a	an election worker?	☐ Yes	□ No
none, describe where you live. (Do not include P.O. Box, Rural Rt. or Business Address) County Zip Code Mailing Address: Street Address and Apartment Number. (If mail cannot be delivered to your residence address.) City State Zip Code 5 City and County of Former Residence in Texas 6 Date of Birth: (mm/dd/yyyy) Male Female Female In no Texas Driver's License or Personal Include Area Code In no Texas Driver's License or Personal Include Area Code XXX-XX- I have not been issued a Texas Driver's License/Personal Identification Number or Social Security Number. 10 I understand that giving false information to procure a voter registration is perjury, and a crime under state and federal law. Conviction of this crime may result in imprisonment up to one year in jail, a fin up to \$4,000, or both. Please read all three statements to affirm before signing. I have not been finally convicted of a felony, or if a felon, I have completed all of my punishment include any term of incarceration, parole, supervision, period of probation, or I have been pardoned; and I have not been determined by a final judgment of a court exercising probate jurisdiction to be total part of the court of the court of the court exercising probate jurisdiction to be total part of the court of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court exercising probate jurisdiction to be total part of the court	2	-	First Name		Former Name (if any)
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Texas Office of the Secretary of State

Voter Name and Address Changes

Welcome

This free service is offered to registered Texas voters who need to submit Name and/or Address changes.

You may use this service to update your Texas voter registration information. Allowable updates include changes to your current residential address and/or your changes to your name.

NOTE:

If you update your county of residence to a new county, your voter registration in your current county will be cancelled. Your voter registration information will be updated to the corresponding county of your new residential address.

You will receive a new Voter Certificate in the mail within 30 days of submitting a change through this service. If you submit changes less than 30 days prior to an election, you must vote at your current polling location.

To use this service, you need your:

- Current Driver License or ID Card
- Social Security Number
- Voter Registration Card VUID (Voter Unique Identifier) Number may be obtained from your County Voter Registrar

This service does not change your address or name on your Driver License. Please visit the Driver License and ID Card Online Services website to update your address.

For technical assistance with this application, please call 1-877-452-9060 or send an email to **Texas.gov Help**. For questions regarding voter registration you may contact your local **County Voter Registrar**

FOR I.D. 3-28-23 OCA-APPX-1397

Privacy - Terms

Texas Office of the Secretary of State Voter Name and Address Changes Login

To make changes to your Voter Certificate, enter the following information.

Use the example Driver License/ID Cards to locate the requested information.







I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.

For technical assistance with this application, please call 1-877-452-9060 or send an email to **Texas.gov Help.** For questions regarding voter registration you may contact your local **County Voter Registrar**.

OCA-APPX-1393-28-23 TO

Texas Office of the Secretary of State Voter Name and Address Changes

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To use this service, you need your:

- Current Driver License or ID Card
- Social Security Number
- Voter Registration Card VUID (Voter Unique Identifier) Number may be obtained from your County Voter Registrar

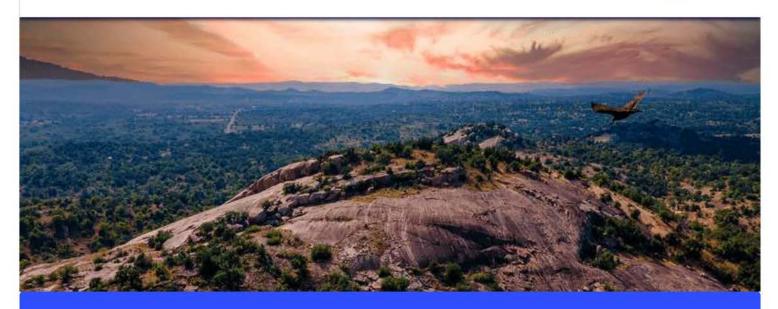
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For technical assistance with this application, please call 1-877-452-9060 or send an email to Texas.gov Help. For questions regarding voter registration you may contact your local County Voter Registrar

Privacy - Terms



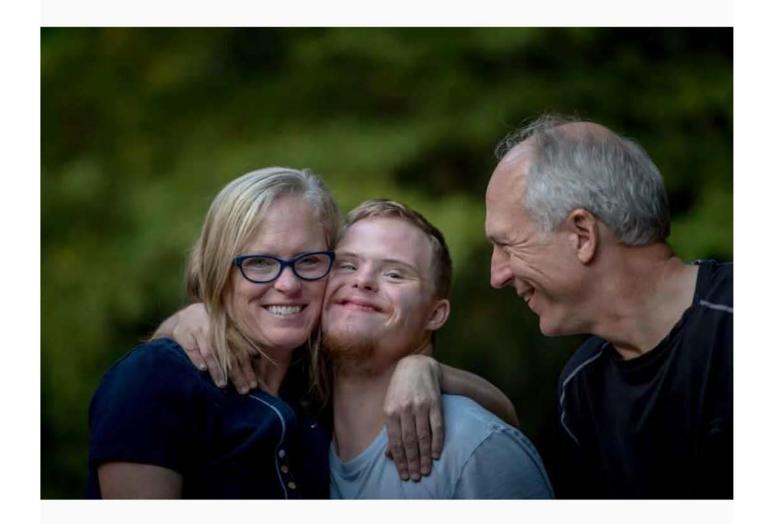




Welcome to Texas.gov

Texas.gov is the official website of the State of Texas. From here, we'll guide you to online services, resources, and information around our great state.

Photo credit: J. Amill Santiago



Accessibility in Texas

Texas has a long history of advocating for the rights and needs of people with disabilities. Our state has established a range of programs and services to help support the community.

Learn about accessibility in Texas



Explore Texas

See Texas outdoors, recreation, and culture

Enjoy the Lone Star State's parks, historical landmarks, campgrounds, fishing, hunting, exhibits, fairs, and culture. We'll connect you with what you need—and want to do.

Explore Texas



Business

Make your business boom

Find business resources that help you run and grow your company—from job seeking and recruitment, to economic development programs and help with

business taxes.



Resident

Stay Healthy

Texas offers a variety of resources to help you and your loved ones live your life as healthy as possible.

Learn about Texas health services



Government

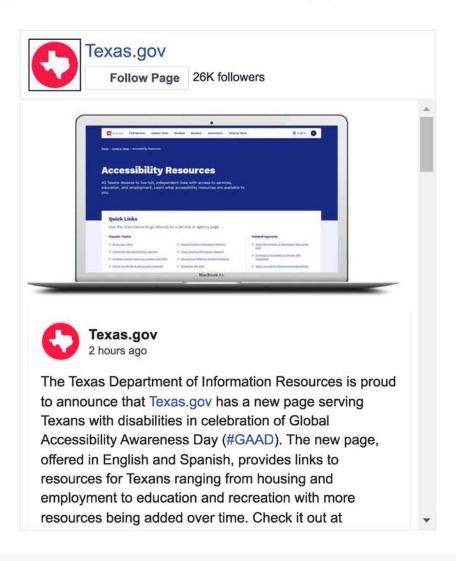
Government that works for you

Texas government agencies offer a range of resident and business services for

Texans. Find the service and agency that can help you.

Access Government Services Directory

Tweets from @texasgov Follow on Twitter Texas.gov - State of Texas Official Website Retweeted Texas Department of Information Resources @TexasDIR · 3h In celebration of Global Accessibility Awareness Day, DIR and @texasgov launch a new page for Texans with disabilities to include resources ranging from employment to recreation, with more resources to come! texas.gov/living-in-texa... #a11y #TexasA11y #DIRisIT #DigitalA11y #GAAD 0 2 (1) View more on Twitter



About Us

About Texas.gov

Site Policies

Privacy Policy

Sitemap

Services

Apply/Renew Vehicle Registration

Renew/Replace Driver License

Request Driver Records

Order Vital Records

All Services

Related Sites

Texas Veterans Portal

Texas Open Data Portal

Texas Records and Information Locator (TRAIL)

Support

Help & Support

Frequently Asked Questions

Provide Feedback

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License

Number

Texas Office of the Secretary of State Voter Name and Address Changes

Login To make changes to your Voter Certificate, enter the following information. Use the example Driver License/ID Cards to locate the requested information. /30/200 T: 5-04 Driver Driver Audit License Audit

Number



Number

Login Information ——————		
1 Texas Driver License or Identification Number		Required. (8 to 10 digits)
Date of Birth		Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number		Required.
2 DPS Audit Number		Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)		Required. (10 digits)
County Name	Select County 🗸	Required.

I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.

For technical assistance with this application, please call 1-877-452-9060 or send an email to Texas.gov Help. For questions regarding voter registration you may contact your local County Voter Registrar

Privacy - Terms

Number

From: Elections Internet [Elections@sos.texas.gov]

Sent: 12/3/2021 12:48:50 AM

To: Elections Internet [Elections@sos.texas.gov]

Subject: MASS EMAIL (CC/EA/VR -1061) Updated Forms for 2022

Attachments: ABBM-FINAL-112021.indd; ABBM-FINAL-112021.pdf; ABBM-SPN-FINAL-112021.indd; ABBM-SPN-FINAL-112021.pdf;

6-15 - Instructions for Carrier Envelope.pdf; Carrier Envelope 6-15_FINAL.indd

Dear Election Officials,

Today, December 2, 2021 is the effective date of Senate Bill 1 (2nd C.S., 2021). We have previously issued Advisory 2021-21 - 2021 Legislative Summary – Second and Third Special Sessions that broadly outlines the changes in Texas law resulting from SB 1. In addition to this advisory, we will be issuing updates in December and January in the form of advisories, forms, and webinars to provide support and explanations about these new changes.

Below, I've provided a list of forms that are currently updated and posted to our website that MUST be used for elections ordered on or after December 2, 2021. Please be advised that you may need to clear your cache on your browser to access the updated forms. Be sure to look at the revision date on the form to ensure that you are using the correct version.

- 1. Application for Ballot by Mail (ABBM): The ABBM has been updated with required legislative updates, including a new space for the voter's personal identification number (TXDL, Personal ID, EIC Number or last four of SSN). In addition to the links below, I've attached the files as a PDF and an inDesign file to assist you with printing needs.
 - a. Application for Ballot by Mail (English)
 - b. Application for Ballot by Mail (Spanish)
- 2. Carrier Envelope for Marked Mail Ballots: The Carrier Envelope has been updated with required legislative updates, including a new space for the voter's personal identification number (TXDL, Personal ID, EIC Number or last four of SSN). I've also included it as an attachment for your assistance. This envelope has been provided to any known vendors. The SOS prescribes the content of the form, but the format may be modified by vendors provided the content isn't changing and they are able to comply with the requirements for a secrecy flap for the personal identification numbers. If you or your vendor would like to modify the form, the form must be approved by the SOS.
 - a. Carrier Envelope
- 3. **Confirmation Notices**: Our confirmation notice templates were previously updated in September. They MUST be updated as SB 1 modified the required statements on all voter registration applications. The revised links are located below. The templates have also already been updated in TEAM.
 - a. Notice to Confirm Voter Registration Address
 - b. Address Confirmation Response Fold over
 - c. Address Confirmation Notice and Response Tri-Fold
 - d. Notice to Confirm Voter Registration by Providing Documentation
- 4. **Voter Registration Applications**: The Voter Registration Applications have been updated with required legislative changes. All of the camera-ready applications for our counties in both English and Spanish have been updated. If you need a copy of your county-specific, camera-ready voter registration applications please email us to request a copy.
- Statement of Residence: The Statement of Residence form has been updated with the required legislative
 updates, including a new box for current county of residence and the revised required statements on voter
 registration applications.
 - a. Statement of Residence

- 6. **Provisional Ballot Affidavit Envelope:** The Provisional Ballot Affidavit envelope has been updated with required legislative updates to the affidavit language. We also modified one of the reasons for voting provisionally to align with the changes to mail ballot cancellations prescribed in SB 1.
 - a. Affidavit of Provisional Voters
- 7. Additional Forms that are Pending Updates: The following forms are in the process of being updated and will be released over the next couple weeks. Please note that this is not an exhaustive list of form updates. Many have already been updated and released to our website including: Recount forms, Confidentiality forms, Candidate Application forms, Order of Election, and Notice of Election forms. The list below contains the notable forms that we wanted to draw to your attention:
 - a. Carrier Insert for ABBMs
 - b. Carrier Insert for FPCAs
 - c. FPCA Signature Sheet
 - d. FPCA Instructions
 - e. Notice of Rejected ABBM
 - f. Notice of Rejected Ballot
 - g. Hand Delivery Roster
 - h. Spoiled Ballot Roster
 - i. Oath of Assistance/Oath of Interpreter
 - j. NEW Curbside Voting Assistance
 - k. NEW Forms related to Voters taking Corrective Actions on the Carrier Envelope
- 8. Combination Forms are NOT being updated.

We will work to provide revised forms and materials to you as soon as possible. Please let us know if you have any questions or concerns.

Thank you,

Christina Worrell Adkins

Legal Director — Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov For Voter Related Information, please visit:



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6-15
Prescribed by Secretary of State
Section 86.013, Texas ⊟ection Code
11/2021

Name of Form:

Carrier Envelope and Instructions for Early Voting Ballot by Mail

Section Reference:

Section 86.013, Texas Election Code

Purpose

To hold and transport the voter's voted mail ballot until it is examined by the Early Voting Ballot Board.

Number of Copies Required:

One per voter

Completed by:

The voter and any witness or assistant that may help the voter complete the ballot by mail process.

Filing Date:

See election law calendar for dates applicable for a given election.

Filed with

Early Voting Clerk

Comments:

Printing Notes:

- The Secretary of State prescribes the wording of the Carrier Envelope, but vendors are responsible for creating their own template based on SOS design recommendations.
- **Size:** The prescribed form should be printed on an approximately 6" x 9 envelope; however, vendors may adjust the envelope size as necessary to provide lower costs in printing and postage, but may not make any other alterations to the text of the envelope. Printers may adjust the design to allow for a larger envelope if the modifications are approved by the Secretary of State.
- Color: The envelope should be white with a color bar across the front (See design)
 - Specifications for the Color bar: PMS 7659 c57 m76 y35 k15 r116 g76 b110 Hex 744c6e (or similar color)
- Required Secrecy Flap: The camerenvelope must contain a place for the voter to include certain
 personal identifiers (Texas Driver's License Number, Texas Personal Identification Number or
 Election Identification Certificate Number, AND Last 4 digits of the voter's Social Security Number)
 These personal identifiers MUST be covered by a secrecy flap that is able to be opened without
 opening the part of the envelope containing the voter's marked ballot.
 - The current carrier envelope design contains a flap with perforation lines to allow the signature verification committee/early voting ballot board to remove the secrecy flap to reveal the voter's personal identifiers. The flap contains glue lines above the top perforation and below the bottom perforation to ensure that the envelope remains sealed when the secrecy flap is removed.
- USPS: The Secretary of State recommends that all vendors work with the USPS to determine
 whether their specific design meets postal regulations.

Version: Current form is dated 11/2021.

From: Elections Internet [Elections@sos.texas.gov]

Sent: 5/10/2022 5:43:19 PM

To: Elections Internet [Elections@sos.texas.gov]

Subject: MASS EMAIL (CC/EA/VR-1093) Carrier Envelope Forms Release 5/10/2022

Attachments: Carrier Envelope 6-15_REVISED_04012022_2_Final.indd; Carrier Envelope 6-15_REVISED_04012022_2_Final.pdf; 6-

15 - Instructions for Carrier Envelope.docx.pdf

Hello,

Our office has released the following revised Carrier Envelope (Form 6-15) that is attached to this email as a PDF, along with an InDesign copy of the Carrier Envelope which is also attached. This envelope has also been provided to any known vendors. If you or your vendor would like to modify the form, the form must be approved by the SOS.

Please note that you may continue to use your existing stock of Carrier Envelopes for upcoming elections.

These items are in the process of being posted to our website. When posted, the forms will be located in our **Election Forms** manual.

Please let us know if have any additional questions and concerns.

Heidi Martinez
Managing Attorney – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.state.tx.us/elections

For Voter Related Information, please visit:



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From: Christina Adkins [CAdkins@sos.texas.gov]

Sent: 11/18/2021 3:06:54 PM

To: 'Chayo Sanchez (Chayo.Sanchez@csgi.com)' [Chayo.Sanchez@csgi.com]; 'Cindy Haushalter'

[chaushalter@hartic.com]; 'Jay.Krahn@csgi.com' [Jay.Krahn@csgi.com]; 'K.C. Emery' [kce@action-printing.com];

aaron@amgprinting.com' [aaron@amgprinting.com]; 'Gordy Pels' [gpels@hartic.com]; 'Gordy Pels'

[gpels@hartic.com]; 'skennedy@hartic.com' [skennedy@hartic.com]

Subject: FINAL DESIGN - Texas Carrier Envelope for Marked Mail Ballots

Attachments: Carrier Envelope 6-15 FINAL.pdf; Carrier Envelope 6-15 FINAL.indd; 6-15 - Instructions for Carrier Envelope.pdf

Dear Vendors,

Attached is the final design of the carrier envelope for marked mail ballots in Texas. I've included both a PDF and an InDesign file along with our instruction sheet that contains printing instructions. Please be advised that out office is responsible for the **content** of the form. The format can be modified provided that it meets the requirements prescribed under the Texas Election Code. While we have discussed the design with the USPS, they have made it clear that they cannot properly vet the design until they have a printed envelope to test through their scanners. **We strongly urge you to work directly with the USPS to ensure that your final product meets postal regulations.**

If you modify the design or size of the envelope, please let us know and we can review to determine legal compliance. Once you begin printing the form, we would also like to request that you provide our office with a few samples of your envelopes for our files in case there are subsequent questions about your modifications.

Thank you for all the feedback and assistance you've given us as we've worked on this redesign. Please let us know if you have any additional questions or concerns.

Thank you,

Christina Worrell Adkins

Legal Director – Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
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From: Christina Adkins

Sent: Monday, October 11, 2021 4:24 PM

Subject: Draft Carrier Envelope for Voted Mail Ballots

Dear Vendors,

Attached is a draft of the revised carrier envelope for voted mail ballots in election ordered after 12/2/2021. Please be advised that the change in envelope format was required to accommodate changes in SB 1 from the 2021, second called session. Please note, this is not in final form and has not yet been approved by our office for use in elections. We would

like for this to be collaborative effort. We are providing this to you for review and so you can provide suggested modifications and format changes before we finalize. I do have a few notes I would like to pass along for you to consider in your review.

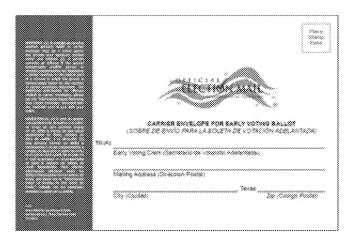
- 1. Color Change to Envelope: Our County Election Official Advisory Group has overwhelmingly indicated to us that that would like to get away from the solid color carrier envelope that is currently canary yellow to a while envelop with a color bar on the left side of the front of the envelope. This attached design follows the format provided by the Center for Civic Design that was developed in conjunction with the USPS. I have provided this to the USPS election mail design folks and they are reviewing to provide me with suggested modifications or changes. I have talked through the proposed changes with the USPS so they have understand conceptually what we are trying to do. I will provide them an updated draft if more changes are made after you all have reviewed.
- 2. New Requirements under SB 1: SB 1 required the following changes to the carrier envelope
 - a. Additional text for the Oath of Assistance
 - b. Additional information for the Assistant to Complete in the Assistant box
 - c. Voters must provide a DL, or last four of SSN, or an indication they have not been issued a DL or SSN
 - d. The identification number provided must be located behind a secrecy flap.

3. Additional Requirements Related to SB 1:

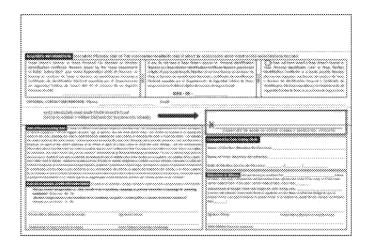
- a. Not everything can be contained behind the secrecy flap. The voter is still required to sign across the envelope seal and the witness/assistant information must be located outside the flap so that it can be completed after the envelope has been sealed.
- b. The secrecy flap needs to be able to be removed without opening the envelope the actual envelope. This is because, for most counties, the ones that are reviewing the signatures and identification numbers (signature verification committee) are not the ones authorized to unseal/open the actual carrier envelope. Only the early voting ballot board can open the envelope.

4. Explanation of Design:

a. **Front of Envelope:** the USPS has asked that we remove the fill in blacks for the EV clerk's name and address. They have indicated that this information on the envelope causes scanner problems. They would prefer that the EV Clerk's information be printed directly on the ballot or affixed to the envelope with an address label. I did not make that change on this envelope, but will do so on the final version and instructions. The rest of the text is the same.



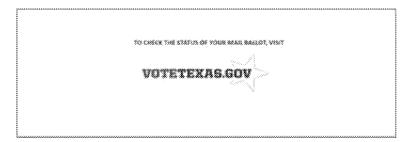
- b. Back of Envelope, containing flap:
 - i. All of this information would be printed on the back of the envelope. This is what is visible before the envelope is closed and sealed.
- c. Outside of Envelope Flap:



d. Inside of Envelope Flap: The dotted lines indicate where perforation would be. We are envisioning two different glue lines that will be printed on inside of the top flap. One that is located above the top perforation and one located below the bottom perforation.



e. Inside of Envelop Flap: The attached logo is in color, but this is not a requirement. All black ink is fine. We are also thinking that a county can opt to print their contact information on the inside below the information about tracking their mail ballot.



Please do not hesitate to contact me with any questions/comments you have. We want as much feedback as possible before we finalize this design. Thank you to those of you have taken the time to provide us with samples and have taken the time to talk through some issues. I look forward to continuing to work with you all on finalizing this envelope.

Thank you,

Christina Worrell Adkins

Legal Director - Elections Division Office of the Texas Secretary of State 1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701 1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



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From: Charles Pinney [CPinney@sos.texas.gov]

Sent: 11/23/2021 3:03:15 PM
To: Jennifer.Briggs@co.gregg.tx.us

BCC: Elections Internet [Elections@sos.texas.gov]; Christina Adkins [CAdkins@sos.texas.gov]

Subject: Re: New ABBM form
Attachments: ABBM 2021 Legal Size.pdf

Hello,

This modified form is approved.

However, please note that due to recent legislative changes in SB 1, you would not be able to use this version of the ABBM for elections ordered on or after December 2, 2021.

SB 1 included a requirement that the voter must include certain identifying information on their ABBM, including either a driver's license number (or the number of another relevant ID issued by DPS), the last four digits of their social security number, or a statement that they have not been issued either number.

We are currently finalizing the revised version of that updated ABBM form, and will send that updated form out as soon as it is available.

You are welcome to make similar modifications to that updated form, but please submit a copy of that modified version to our office for approval when you do so.

Please let us know if you have any other questions about this issue or anything else relating to the election. You can reach us at Elections@sos.texas.gov or 1-800-252-8683, or you can visit our website at sos.state.tx.us/elections/index.shtml.

Thanks,

Chuck Pinney

Attorney -- Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov/elections



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From: Jennifer Briggs < Jennifer.Briggs@co.gregg.tx.us>

Sent: Friday, November 19, 2021 11:54 AM **To:** Elections Internet <Elections@sos.texas.gov> **Cc:** Mindy Soape <Mindy.Soape@co.gregg.tx.us>

Subject: New ABBM form

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Greetings,

I have reviewed the new ABBM form and blew it up to legal size with a tri-fold.

I felt it would be easier to read by my elderly voters, as the font on letter size was so small.

Plus, when tri-folded, this ABBM still fits in our old stock of ABBM envelopes.

Nothing was added to the form, except on the back – I added our contact info. The other change was I moved VUID and Pct to the top, as that is how we process them in our office.

I would like to get permission to use this larger form for our county. I have attached a pdf of the revised legal size form.

Thank you.

Respectfully,

Jennifer Briggs
Jennifer Briggs, R.E.O.
Elections Administrator
Gregg County, Texas
903-236-8457
www.GreggCountyVotes.com

FACEBOOK

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From: Christina Adkins [CAdkins@sos.texas.gov]

Sent: 9/3/2021 4:15:11 PM

To: Sanchez, Estela [estela.sanchez@mctx.org]; Elections Internet [Elections@sos.texas.gov]

CC: Harvey, Suzie [Suzie.Harvey@mctx.org]; Jamieson, Cynthia M. [cynthia.jamieson@mctx.org]

Subject: Re: MASS EMAIL (CC/EA/VR 1038) SOS Updates on Forms and Resources

Approved!

We are going to have to redo this for after the November election. I'll try to incorporate that option into the next version of the form!

From: Sanchez, Estela <estela.sanchez@mctx.org> Sent: Friday, September 3, 2021 10:48:46 AM

To: Christina Adkins <CAdkins@sos.texas.gov>; Elections Internet <Elections@sos.texas.gov> **Cc:** Harvey, Suzie <Suzie.Harvey@mctx.org>; Jamieson, Cynthia M. <cynthia.jamieson@mctx.org>

Subject: RE: MASS EMAIL (CC/EA/VR 1038) SOS Updates on Forms and Resources

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Good morning Christina,

We noticed there is no designated area for our email and fax number on the new Application for a Ballot by Mail (ABBM), and we would like to request a variance to be able to include this information on the new form. Please see attachment showing where we would like our email and fax number to appear on the ABBM. We look forward to hearing from you so that we can move forward with our order.

Best Regards,
Estela Sánchez
Elections Manager
Montgomery County Elections
9159 Airport Road, Conroe, TX 77303
Phone: (936) 788-8316 Fax: (936) 788-8340
Visit our website: www.MontgomeryVotes.org

From: Elections Internet <Elections@sos.texas.gov>
Sent: Wednesday, September 1, 2021 6:55 PM

To: Elections Internet < Elections@sos.texas.gov>

Subject: MASS EMAIL (CC/EA/VR 1038) SOS Updates on Forms and Resources

Dear Election Officials,

As the September 1, 2021 effective date is upon us for many election-related bills from the 2021 Regular Session, we wanted to provide you with updates regarding the implementation of certain new laws. Below we will summarize several items that our office is working on with respect to forms and resources.

Additionally, <u>SB 1</u> from the Second Called Special Session was passed by the House and Senate on August 31, 2021 and <u>SB 13</u> was signed in both chambers on August 30, 2021. Upon signing by the Governor, these bills will require additional changes to existing resources, including some that were recently modified due to legislative changes from the 2021 Regular Session. In the list below, we have identified which items will require further updates resulting from subsequent

legislative changes. Based on the anticipated effective dates, please note that some changes will not affect the November 2, 2021 election.

- 1. **NEW Application for Ballot by Mail form**: Per HB 3920 and HB 3107, the Application for a Ballot by Mail (ABBM) was required to be modified to include new language. We will be issuing an advisory on the new ABBM form and other changes related to voting by mail. The revised ABBM is required for all voters voting by mail under the disability category. If someone uses the old ABBM form and is voting by mail due to any ground other than disability, you may still accept and process that ABBM. Please also note that an otherwise valid annual ABBM filed earlier in the year before September 1, 2021 will still be valid, even if the ground was disability.
 - a. English Version Application for a Ballot by Mail (ABBM)
 - b. Spanish Version Application for a Ballot by Mail (ABBM)

NOTE: Please be advised that this form will be updated to accommodate changes in SB 1 for release after the November 2021 election. Please plan accordingly when ordering your current form stock.

2. **NEW Address Confirmation Forms**: Per SB 1111, the current Address Confirmation Notice and response documents had to be modified to include new language. Additionally, this bill required that the SOS create a new form for an additional address confirmation process. This was explained in Advisory 2021-10, which we released on August 31, 2021. The revised and new notices must be used for all address confirmations sent on or after September 1, 2021.

NOTE: SB 1 did not make any changes to the required information on the Address Confirmation Notice and response forms, so there will be no updates to those forms resulting from SB 1. If any other legislation impacts this form, we will notify you of such changes.

- 3. **REVISED Statement of Residence**: Per HB 3107, the Statement of Residence form must be modified to include a "County" box. HB 3107 requires the SOS to adopt a Statement of Residence form with the required box, as soon as practicable, on or after September 1, 2021. Please be advised that you may continue to use your old stock for the remainder of the elections occurring in 2021. We will release a new Statement of Residence form that includes this required box, but it will not be officially adopted until January 1, 2022. Therefore, you may continue to use old stock; however, if additional "Statement of Residence" forms are needed, please use the revised form to place new orders.
- 4. **Ballot by Mail Carrier Envelopes**: We will NOT be updating any of our Ballot by Mail Carrier Envelopes for the November 2021 election. You may continue to use your existing stock for this election. We will be making substantial updates to the carrier envelope in light of SB 1. These changes will likely result in a custom form. This form will be released as soon as the design has been completed, as we recognize that vendors will need time to print these custom envelopes.
- 5. **Handbooks**: We will **NOT** be updating our <u>Qualifying Voters Handbook</u> (2020), <u>Early Voting Ballot Board Handbook</u>, or <u>Poll Watcher's Guide</u> for the November 2021 election. Please be advised that we are working on substantial updates to these handbooks to incorporate changes related to SB 1. We expect to release updated handbooks in December 2021.
- 6. **Dear Voter Letter**: The "Dear Voter" letter for the November 2, 2021 election was posted on our website earlier this month. It is located on our Conducting Elections page. I've included the links below.

- a. November 2, 2021 Uniform Election Date Dear Voter Letter (PDF) | Spanish (PDF)
- 7. **Upcoming Advisories and Webinars Related to Legislative Changes**: We plan to issue multiple advisories throughout September regarding the implementation of legislative changes. When appropriate, there will be a corresponding webinar to explain the applicable changes. Please consult the Legal Webinar Schedule that was sent out on August 30, 2021 for the full schedule. Our recent advisories include:
 - a. Advisory 2021-09: 2021 Legislative Update (87th Regular Session) (issued 7/30)
 - b. Advisory 2021-10: NEW LAW SB 1111 and Address Confirmations (issued 8/31)
- 7. **Additional Special Session Updates:** As we review the legislative changes resulting from the Second Called Special Session, our office expects to issue an additional legislative update regarding the impact of election-related bills. We will also notify you of any additional updates to our forms or resources.

We understand that many of you print our materials for reference. We greatly appreciate you studying our advisories and other information, and we encourage you to check back to the online materials on our website for updates.

Please let us know if you have any questions or concerns about these changes.

Thank you,

Christina Worrell Adkins

Legal Director — Elections Division
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
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elections@sos.texas.gov | www.sos.texas.gov
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From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FB5BA11EA034BB18440CFDBD54FD914-ATMONTGOMER

[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FB5BA11EA034BB18440CFDBD54FD914-ATMONTGOMER]

Sent: 1/26/2022 8:46:43 PM

To: CC:

BCC:

Elections Internet [Elections@sos.texas.gov]
Christina Adkins [CAdkins@sos.texas.gov]

Subject: RE: Mail in Ballots Registration

Good afternoon,

There have been some changes to the law regarding applications for ballot by mail (ABBMs). Section 84.002 of the Election Code now requires that voters provide either the number from their driver's license, election identification certificate, or personal identification card issued by Texas Department of Public Safety or to provide the last four digits of their social security number on the application. If the voter has not been issued either of these numbers, the voter may include a statement on the ABBM that they have not been issued either number.

If a voter is completing an ABBM and does not remember which number the voter used to register to vote, that voter may contact the county voter registrar to confirm the number that was used to register. The county voter registrar should be able to inform the voter of the type of number that was used by the voter at the time of registration. Additionally, if the voter does not remember which number was used to register, the voter can provide both numbers on the ABBM. As long as one of the numbers is confirmed, the ABBM should be accepted.

We hope this information will be helpful to you.

Elections Division Staff
Office of the Texas Secretary of State
1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701
1.800.252.VOTE (8683)
elections@sos.texas.gov | www.sos.texas.gov
For Voter Related Information, please visit:



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----Original Message----

From

Sent: Thursday, January 20, 2022 11:17 AM To: Secretary < Secretary@sos.texas.gov >

Cc:

Subject: Mail in Ballots Registration

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to linformationsecurity@sos.texas.gov.

So I was reading that in Texas there is a restriction that allows the county to bounce votes, if you don't use the same ID you used to register. For example, if you registered using your driver's license, but you requested or sent in your mail-in

ballot using your social security last four digits, the ballot gets rejected. That is insane. Who remembers which one they used when they registered to vote 20+ years ago (or yesterday for that matter).

Is this above statement truthful and do I have to worry about the county bouncing my vote out? Thanks for your attention and answer in advance.



Sent from my iPhone

CONFIDENTIAL STATE031547

From: BCEO-McCoy, Pat [Pat.McCoy@txkusa.org]

Sent: 2/14/2022 7:31:22 PM

To: Sam Taylor [SMTaylor@sos.texas.gov]
Subject: RE: Ballot Tracker Does Not Work

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Understood. Just be prepared for more complaints on this. We have fielded 6-8 call a day on this issue alone, not to mention the ABBM and Carrier envelop. Just not enough words.....

From: Sam Taylor <SMTaylor@sos.texas.gov>
Sent: Monday, February 14, 2022 1:11 PM
To: BCEO-McCoy, Pat <Pat.McCoy@txkusa.org>
Subject: RE: Ballot Tracker Does Not Work

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Understood – thank you for the update. The requirements to log into the ballot tracker are set by statute, not our office – per Sec. 86.015, it requires the following information for the voter to access the tracker:

- Name
- Registration address
- · Last four digits of social security number
- DL number OR Personal ID card number issued by DPS

Since this is set out explicitly in law, our office doesn't have any leeway to alter these requirements, it would take a legislative change:

Sec. 86.015. ELECTRONIC TRACKING OF APPLICATION FOR BALLOT VOTED BY MAIL OR BALLOT VOTED BY MAIL. (a) The secretary of state shall develop or otherwise provide an online tool to each early voting clerk that enables a person who submits an application for a ballot to be voted by mail to track the location and status of the person's application and ballot on the secretary's Internet website and on the county's Internet website if the early voting clerk is the county clerk of a county that maintains an Internet website.

- (b) The online tool developed or provided under Subsection (a) must require the voter to provide, before permitting the voter to access information described by that subsection:
- the voter's name and registration address and the last four digits of the voter's social security number; and
 - (2) the voter's:
 - (A) driver's license number; or
 - (B) personal identification card number issued by the Department of Public Safety.
 - (c) An online tool used under this section must:
 - (1) for each election, record:
 - (A) each application for a ballot to be voted by mail received by the clerk; and

CONFIDENTIAL STATE105512

- (B) each carrier envelope sent to a voter by the clerk;
- (2) for each carrier envelope, record or assign a serially numbered and sequentially issued barcode or tracking number that is unique to each envelope;
- (3) update the applicable Internet website as soon as practicable after each of the following events occurs:
- (A) receipt by the early voting clerk of the person's application for a ballot to be voted by mail;
- (B) acceptance or rejection by the early voting clerk of the person's application for a ballot to be voted by mail;
 - (C) placement in the mail by the early voting clerk of the person's official ballot;
 - (D) receipt by the early voting clerk of the person's marked ballot; and
 - (E) acceptance or rejection by the early voting ballot board of a person's marked

ballot; and

- (4) allow a voter to add or correct information required under Section 84.002(a) (1-a) or Section 86,002(g).
- (d) The secretary of state shall adopt rules and prescribe procedures as necessary to implement this section.
- (e) The information contained in Subsection (c) is not public information for purposes of Chapter 552, Government Code, until after election day.

Added by Acts 2021, 87th Leg., R.S., Ch. 317 (H.B. 1382), Sec. 1, eff. September 1, 2021. Amended by:

Acts 2021, 87th Leg., 2nd C.S., Ch. 1 (S.B. 1), Sec. 5.10, eff. December 2, 2021.

Sam Taylor

Assistant Secretary of State for Communications Office of the Texas Secretary of State smtaylor@sos.texas.gov

Office: 512-463-6116 Cell: 512-538-5293



From: BCEO-McCoy, Pat <Pat.McCoy@txkusa.org>

Sent: Monday, February 14, 2022 1:01 PM To: Sam Taylor <SMTaylor@sos.texas.gov> Subject: RE: Ballot Tracker Does Not Work

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Mr. Taylor,

It is not that it does not work, it is that is complicated and the age of people who are generally tracking a mail in ballot can't readily utilize the site. The tracking site ask for ID of Drivers license or last four of SSN. If the voter does not know which one of those numbers we have in our system it will kick out the inquiry. (This is the same problem with the new ABBMs and the Carrier Envelopes).

We have been in contact with these two individuals and their ballots have been "received" in our office.

Until the state makes the ballot tracker more user friendly then you and us will continue to have voter's comment that the site does not work.

Pat McCoy Election Administrator Bowie County

From: Sam Taylor <<u>SMTaylor@sos.texas.gov</u>> Sent: Monday, February 14, 2022 12:51 PM

To:

Cc: BCEO-McCoy, Pat < Pat. McCoy@txkusa.org > Subject: RE: Ballot Tracker Does Not Work

CAUTION: This email originated from outside our email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi

The ballot tracker does work. Please try again but you do not have to provide anything in 'Street Line 2' – that is an optional field. That could be why the ballot tracker is turning up the message "no voter could be found for the details you entered."



I just tested this with my own address and registration to troubleshoot and confirm it works properly. Please let us know if you and those you mentioned are still experiencing issues.

Best,

Sam Taylor

Assistant Secretary of State for Communications
Office of the Texas Secretary of State

smtaylor@sos.texas.gov Office: 512-463-6116 Cell: 512-538-5293



From:

Sent: Monday, February 14, 2022 12:36 PM
To: Sam Taylor <<u>SMTaylor@sos.texas.gov</u>>
Cc: Bowie - Pat McCoy <pat.mccoy@txkusa.org>

Subject: Ballot Tracker Does Not Work

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Sam Taylor, Assistant Secretary of State for Communications

Your Ballot Tracker does not work. Inserted below are screenshots showing

- 1. is registered to vote in Bowie County
- 2. Ballot Tracker does not work
- 3. is registered to vote in Bowie Count
- 4. Ballot Tracker does not work (has confirmed with the county elections office that her mail balitlot was received.)

I believe the state law has not changed in that it is required for the county elections office to post daily the mail ballots it has received. Instead of putting a file on its website everyday, Bowie County just puts a link to state "Ballot Tracker."

This needs to be fixed immediately. If you have any questions, feel free to call me. I have had several people try using Ballot Tracker, so it is not just the two examples I have provided that are having trouble.

Please have someone reply to this message so I know that it was received. Thank you.

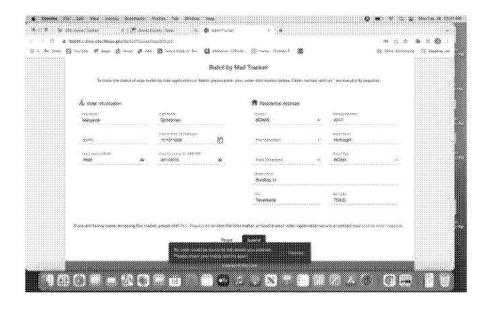
CONFIDENTIAL STATE105515

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OCA-APPX-1438

CONFIDENTIAL STATE105516

Name:	
Address:	
Gender:	
Valid From:	
Effective Date of Registration:	
Voter Status:	**************************************
County:	
Precinct:	
VUID:	
Change your Address	



From: Andre Montgomery [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1FB5BA11EA034BB18440CFDBD54FD914-ATMONTGOMER]

Sent: 11/2/2022 6:12:02 PM

To:

CC: Elections Internet [Elections@sos.texas.gov] Subject: RE: Vote Texas Contact Message (El Response)

Good afternoon.

Section 86.001(f) (copied below) provides that an application for ballot by mail must include the same identifying numbers as the voter's registration information. Either the last four digits of the SSN or all the digits in a Texas identification card/driver's license are required to register to vote (or the applicant must indicate that they have not been issued either of these numbers). Although both numbers are not required, the number provided on the application for ballot by mail must match the number in the voter's registration record. This means that if the voter registered to vote using only the SSN, for example, the last four digits of that SSN must be provided on the application for ballot by mail. If the voter provided their Texas driver's license number instead, and that driver's license number is not associated with the voter's registration record, the application for ballot by mail would be rejected. Voters can add either number to their registration record by submitting a voter registration form and including the number on that application and marking the application as an update to their existing voter registration record. Additionally, either number can be added to the registration record by using the Texas.gov website.

On the Application for Ballot by Mail prescribed by the Office of the Secretary of State, instructions are included on the application which state the following: "If you have been issued one of the required numbers, but it is not associated with your voter registration record, please contact your local registrar to inquire about how to add one of those required numbers to your voter registration record." Therefore, we recommend that if a voter is unsure which number is associated with their voter registration record, the voter contract their county of registration to confirm which number is a part of their voter registration record and provide that number. It is also permissible for a voter to put both numbers on the application although only one number is required.

We hope this information will be helpful to you.

Elections Division Staff Office of the Texas Secretary of State 1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701 1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.texas.gov

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

Sec. 84.002. CONTENTS OF APPLICATION. An early voting ballot (a) application must include:

(1) the applicant's name and the address at which the applicant is registered to vote;

(1-a) the following information:

OCA-APPX-1440

- (A) the number of the applicant's driver's license, election identification certificate, or personal identification card issued by the Department of Public Safety;
- (B) if the applicant has not been issued a number described by Paragraph (A), the last four digits of the applicant's social security number; or
- (C) a statement by the applicant that the applicant has not been issued a number described by Paragraph (A) or (B);
- (2) for an application for a ballot to be voted by mail on the ground of absence from the county of residence, the address outside the applicant's county of residence to which the ballot is to be mailed;
- (3) for an application for a ballot to be voted by mail on the ground of age or disability, the address of the hospital, nursing home or other long-term care facility, or retirement center, or of a person related to the applicant within the second degree by affinity or the third degree by consanguinity, as determined under Chapter 573, Government Code, if the applicant is living at that address and that address is different from the address at which the applicant is registered to vote;
- (4) for an application for a ballot to be voted by mail on the ground of confinement in jail, the address of the jail or of a person related to the applicant within the degree described by Subdivision (3);
- (5) for an application for a ballot to be voted by mail on any ground, an indication of each election for which the applicant is applying for a ballot;
- (6) an indication of the ground of eligibility for early voting; and
- (7) for an application for a ballot to be voted by mail on the ground of involuntary civil commitment, the address of the facility operated by or under contract with the Texas Civil Commitment Office or of a person related to the applicant within the degree of consanguinity described by Subdivision (3).
- (b) An application for a ballot to be voted by mail on the ground of absence from the county of residence must indicate that the applicant satisfies the requirements prescribed by Section 82.001.
- (b-1) A person may use the number of a driver's license, election identification certificate, or personal identification card that has expired for the purpose of fulfilling the requirement under Subsection (a) (1-a) if the license or identification is otherwise valid.
- (c) An application for a ballot to be voted by mail on the ground of disability must require the applicant to affirmatively indicate that the

applicant agrees with the statement, "I have a sickness or physical condition that prevents me from appearing at the polling place on election day without a likelihood of needing personal assistance or injuring my health," as prescribed by Section 82.002(a).

Sec. 86.001. REVIEWING APPLICATION AND PROVIDING BALLOT. (a) The early voting clerk shall review each application for a ballot to be voted by mail.

- (b) If the applicant is entitled to vote an early voting ballot by mail, the clerk shall provide an official ballot to the applicant as provided by this chapter.
- (c) Except as provided by Section 86.008, if the applicant is not entitled to vote by mail, the clerk shall reject the application, enter on the application "rejected" and the reason for and date of rejection, and deliver written notice of the reason for the rejection to the applicant at both the residence address and mailing address on the application. ballot may not be provided to an applicant whose application is rejected.
- If the application does not include the applicant's correct voter registration number or county election precinct of residence, the clerk shall enter the appropriate information on the application before providing a ballot to the applicant.
- If the applicant does not have an effective voter registration for the election, the clerk shall reject the application unless the clerk can determine from the voter registrar that the applicant has submitted a voter registration application and the registration will be effective on election day.
- (f) If the information required under Section 84.002(a)(1-a) included on the application does not identify the same voter identified on the applicant's application for voter registration under Section 13.002(c)(8), the clerk shall reject the application.
- (f-1) If an application is rejected under Subsection (f), the clerk shall provide notice of the rejection in accordance with Subsection The notice must include information regarding the ability to correct or add information required under Section 84.002(a)(1-a) through the online tool described by Section 86.015(c).
- (f-2) If an applicant corrects an application for a ballot to be voted by mail online and that application subsequently identifies the same voter identified on the applicant's application for voter registration, the clerk shall provide a ballot to the applicant as provided by this chapter.

OCA-APPX-1442

(g) If a ballot is provided to the applicant, the clerk shall indicate beside the applicant's name on the list of registered voters that a ballot to be voted by mail was provided to the applicant and the date of providing the ballot unless the form of the list makes it impracticable to do so.

From:

Sent: Monday, October 31, 2022 10:08 AM **To:** Elections Internet <Elections@sos.texas.gov>

Cc:

Subject: Vote Texas Contact Message

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From:

When filling out my mothers VOTE BY MAIL form the county refused to send her a ballot due to not using a prior number "the last four numbers of her social security ID" instead using the STATE OF TEXAS Drivers License number. Since both were an option on the application Either Texas Drivers license or Last four of social security number I feel that this is an error in the APPLICATION For a Ballot by Mail. Ector County refuses to send her a ballot because she used her legal ID form of her Texas Drivers License.

From: Elections Internet [Elections@sos.texas.gov]

2/28/2022 3:14:59 PM Sent:

To:

Subject: RE: Problem with voting by mail (El Response)

Thank you for contacting the Elections Division of the Office of the Texas Secretary of State.

If your application for a ballot by mail was rejected because the required personal identification information on the application does not match the numbers in your voter registration record then the county must provide notice to you of the rejection and explain how to correct the defect by using the online Ballot by Mail Tracker, available at www.votetexas.gov. If you need to update your voter registration record to add or required information numbers you can do so by submitting a new voter registration application to the registrar or by validating their personal identification numbers on texas.gov.

We appreciate your detailed feedback on the issues you encountered. We are always looking for ways to improve the process and the experience, and detailed feedback from the voters is helpful in addressing those issues. Our office does not have the power to change the laws in effect in this state. If you wish to bring a legislative idea to the attention of the Legislature, you can find contact information for your state legislative representatives

here: https://wrm.capitol.texas.gov/home

Again, thank you for contacting our office. If you have any additional questions or if we can be of further assistance, please contact our office at 1.800.252.8683 or email us at Elections@sos.texas.gov.

Elections Division Staff Office of the Texas Secretary of State 1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701 1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.state.tx.us

or Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

----Original Message-----

From:

Sent: Thursday, February 17, 2022 3:51 PM To: Elections Internet < Elections@sos.texas.gov>

Subject: Problem with voting by mail

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I have been a registered voter at my address since 1980. The last few years I have voted by mail because of disability and age. My current application for voting by mail has been rejected. The problem is my last 4 digits of my social

security number were entered into the voting registration data base incorrectly in 1980 by whomever entered the data. The Tarrant County Election office said the numbers were transposed. When I asked if I could take a picture of my Texas driver's license and social security card and email it to their office I was told I had to come into their office to correct the error. If I was able to go to their office I could vote in person.

Texas voting laws are penalizing people for mistakes made by the election staff members that entered the voting registration data. It is ridiculous that the technology that allows me to update my information to the IRS and the Social Security Administration electronically is not allowed by the state of Texas in regards to voting by mail. As a constituent I am being denied my right to vote by mail simply because of Texas' antiquated procedures. It is time for Texas to embrace technology and stop blocking voters.

Sincerely,

Sent from my iPhone

From: Sent: 3/29/2022 10:16:01 PM

To: Melanie Best [MBest@sos.texas.gov]

CC: Melanie Best [MBest@sos.texas.gov]; Christina Adkins [CAdkins@sos.texas.gov]; Elections Internet

[Elections@sos.texas.gov]

Subject: Re: Vote Texas Contact Message - (El Response)

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I will make that suggestion to the DPS though my state senator and representative. I will also help my friend correct her voter registration.

I am also aware of the curbside voting since I have worked the elections for more than 20 years. This year we had problems with our machine and sent voters that required this to another polling place. We filed our complaint about this to the county. We had lots of problems in Harris county, but you know that.

Apparently your email contact works but it told me twice that it failed. This is what I got back:

postmaster@sos4avwapps1.txsos.sos.state.tx.ux

Mon, Mar 28 at 2:32 PM

This is an automatically generated Delivery Status Notification.

Delivery to the following recipients failed.



On Tuesday, March 29, 2022, 05:07:53 PM CDT, Melanie Best <mbest@sos.texas.gov> wrote:

Thank you for your inquiry.

We are sorry your friend experienced difficulties. We respectfully note that our office cannot direct DPS procedures. You would need to direct the request to DPS.

In the meantime, in terms of election procedures, we can advise you that the voter can associate a new number with the voter registration record to help facilitate ballot by mail. One of the ways to do this is to send in a voter registration application with updated information.

OCA-APPX-1446

If the voter is not sure whether her driver license number or social security number are associated with the voter registration record, she may put both on a future application for ballot by mail. Additionally, many voters who vote by mail like knowing about an alternative called curbside voting. A voter with a disability can vote curbside; the balloting materials are brought out to the car. We recommend calling ahead if the voter wishes to curbside vote. For example, during early voting, curbside voting is legally available at any branch. However, as a practical matter, some locations are better suited than others (roomier driveways and so on). https://www.votetexas.gov/voters-with-special-needs/ We hope this will be helpful to you. Sincerely, **Elections Division Staff** Texas Secretary of State 1-800-252-8683 Elections@sos.texas.gov From: Sent: Monday, March 28, 2022 2:32 PM To: Elections Internet < Elections@sos.texas.gov> Cc: Subject: Vote Texas Contact Message

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From:

a friend who is now handicapped and cannot drive got her photo ID at DPS. They did not give her her old drivers license number. They gave her a new number. This caused problems when she requested a mail in ballot. Please tell DPS to continue using the original drivers license number on the photo ID to avoid this problem. Thank you.

CONFIDENTIAL STATE122470

OCA-APPX-1448

Message	
From: Sent: To: Subject:	5/12/2022 5:23:10 PM Elections Internet [Elections@sos.texas.gov] MAIL IN BALOT TRACKER
CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to lnformationsecurity@sos.texas.gov .	
by the Tarra ballot would and went. M	Mail-in Ballot for my sister, for the May 7, 2022 election and was notified ant County Board of Elections that I failed to include her SS# on the envelope and therefore, the d be void unless I corrected it. After numerous attempt to find a way to correct it, election day came My sister is bedridden and unable to go to the Tarrant Board in person. Today, I talked again with Board and they keep recommending I use the state webpage for Track Your Ballot. This does not does not have a Driver's License nor a DPS number which is one of the sections you must fill in.
is: Her VUID # Birth: Voter Regis	does have a valid Voter Registration Card good through. Her address stration Certificate No.
It is very important that we clear this matter up as she desires to vote in the upcoming elections.	
Sincerely,	Sister to

OCA-APPX-1449

CONFIDENTIAL STATE123165

From:

Sent: 3/4/2022 4:59:41 PM

To: Elections Internet [Elections@sos.texas.gov]

Subject: Mail-In Ballot issues

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HI. I would like to address issues with the mail-in ballot. It was VERY frustrating. First, the ballot would not fit into the carrier envelope. I had to get a ruler out to refold it and I was finally able to get it in. Second, after getting the carrier envelope into the mailing envelope my Drivers License information could be seen if you hold the envelope correctly. This is not at all secure and I was not very comfortable mailing this in. I am a republican that is disabled. This stupid system is making it more difficult for voters that the state WANTS to vote. Thirdly, I then get an email that the outside envelope was not signed. After all the frustration with trying to get the ballot into the inside envelope I guess I forgot this. Now I am told I have to figure out how to get to McKinney to sign to make my vote valid. There needs to be an electronic means to correct things like this. I got the email to tell me about the problem – why not allow the problem to be corrected through email? Since I have to go to McKinney to sign that means my vote will not be counted. This STINKS!

From: Elections Internet [Elections@sos.texas.gov]

Sent: 10/9/2022 5:08:22 AM

To:

CC: Elections Internet [Elections@sos.texas.gov]

Subject: RE: Vote Texas Contact Message

Thank you for contacting the Elections Division of the Office of the Texas Secretary of State.

The Early Voting Clerk in your home Texas County is the one responsible for mailing all balloting materials to you. Please check with your county Early Voting Clerk as to the status of your ballot by mail.

Contact information for the Early Voting Clerk in your Texas County is available here:

https://www.sos.state.tx.us/elections/voter/county.shtml

Again, thank you for contacting our office.

Elections Division

Office of the Secretary of State 800-252-VOTE(8683)

www.sos.state.tx.us/elections/index.shtml

For Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From:

Sent: Saturday, October 8, 2022 6:28 PM

To: Elections Internet <Elections@sos.texas.gov>

Cc:

Subject: Vote Texas Contact Message

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From:

I am voting by mail. Last election we had to put the identifying info we used when we originally registered to vote. I dont remember which ID I used so I put both Drivers license and last 3 digits of my social. Now the instructions say One form of ID. Do we still have to use what we originally registered with? Will we be penalized if we put more than one type of ID? Thank you

CONFIDENTIAL STATE128049

From: /O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B3FBA6E4A38E415F84C198A226931A4A-HMARTINEZ

[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B3FBA6E4A38E415F84C198A226931A4A-HMARTINEZ]

10/27/2022 6:08:57 PM Sent:

To:

CC: Elections Internet [Elections@sos.texas.gov] BCC: Christina Adkins [CAdkins@sos.texas.gov] Subject: Vote seems to be suppressed (El Response)

As an initial matter, thank you for your concern and for taking the time to send in the inquiry.

In order to best assist your daughter, please have her contact our office directly and as soon as possible. We are happy to assist her with her ballot by mail issue(s).

Heidi Martinez Managing Attorney - Elections Division Office of the Texas Secretary of State 1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701 1.800.252.VOTE (8683) elections@sos.texas.gov | www.sos.state.tx.us/elections

For Voter Related Information, please visit:



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From:

Sent: Tuesday, October 25, 2022 7:16 PM

To: Elections Internet <Elections@sos.texas.gov>

Subject: Vote seems to be suppressed

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My daughter is a registered voter and is a student that now lives out of state. She sent her mail-in ballot application at the beginning of October. The application asked for "EITHER" DL number "OR" SSN, so she put in the DL number. Her application was then rejected. We called Comal County and they said "her registration has her SSN, so she needs to put that". First of all, if that were the case then the application should have said so to begin with! That's very misleading. The rejection letter also said that in order to fix that information on her ballot, she could simply log in to the ballot tracker. However, the ballot tracker REQUIRES you to enter BOTH your SSN and DL number, so it denied her access because her voter registration apparently doesn't include SSN yet. So there was no way

After contacting numerous people, we were then instructed to go to txapps.texas.gov and use the "Voter name and address changes" form that is located there. We successfully got into that site and were able to add her SSN and DL number to her voter registration. The following day, she was finally able to get into the ballot tracker yet there was no ballot or mail in application associated with her name. So once again, we called the county. They said that they could see that she added her SSN and DL number and they

would" take care of it". The gal on the phone said as soon as she "rejects the ballot again", it will then show up on the ballot tracker and my daughter can then correct her information there and consequently, her original mail in application will then be accepted. This elaborate and confusing process made zero sense to me, but I said "ok". Now, my daughter can no longer log into the ballot tracker. It is again saying that she doesn't exist. This is beyond frustrating and completely unnecessary. My daughter is a registered voter and has already voted in several elections. Now, as a student attending college, you're telling her she cannot vote! She cannot simply resend a new mail-in application because this long and drawn out process wasted too much time and it takes too long for mail to get back and forth from Maine. This is a case of complete incompetence on someone's part and deception on the part of both the rejection letter we received and the State of Texas Secretary of State website. Please let me know if there is anything else we can possibly do to allow my daughter to use her Constitutional right to vote, since she has done everything correctly up to this point but Texas insists on suppressing her vote with its idiotic and deceptive process!

Comal County

CONFIDENTIAL STATE133482

From: Elections Internet [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP

(FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=C7880AABC96640A49B316BEE342F5292-ELECTIONS I]

Sent: 8/24/2022 3:01:33 AM

To:

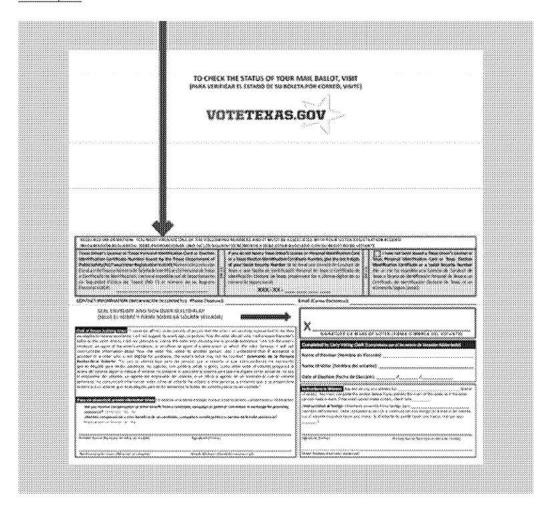
BCC: Elections Internet [Elections@sos.texas.gov]; Christina Adkins [CAdkins@sos.texas.gov]

Subject: RE: Vote by Mail instructions (El Response)

Thank you for contacting the Elections Division of the Office of the Texas Secretary of State.

Senate Bill 1 amended Section 86.002 to require that the carrier envelope include a space that is hidden from view when the envelope is sealed for the voter to enter one of the following: (1) the number of the voter's driver's license, EIC, or personal identification card issued by DPS; (2) the last four digits of the voter's social security number, if the voter has not been issued a DPS number; or (3) a statement that the applicant has not been issued one of these numbers. (Sec. 86.002(g)).

The carrier envelope has been updated to include a space for the required identification information. A photo of the new carrier is provided below. More information is available on votetexas, gov on "Completing and Mailing your Carrier Envelope."



Sec. 86.002. ADDITIONAL BALLOTING MATERIALS. (a) The early voting clerk shall provide an official ballot envelope and carrier envelope with each ballot provided to a voter. If the voter's name appears on the list of registered voters with the notation "S", or a similar notation, or the residence address on

the voter's early voting ballot application is not the same as the voter's residence address on the list of registered voters, the clerk shall provide a form for a statement of residence to the voter.

- (b) Before providing the balloting materials to the voter, the clerk shall enter on the carrier envelope the identity and date of the election.
- The clerk shall enter on a carrier envelope the voter's name in printed form, a notation that a statement of residence is enclosed, if applicable, and any other information the clerk determines necessary for proper processing of the ballot.
- (d) The secretary of state shall prescribe instructions to be printed on the balloting materials for the execution and return of a statement of residence. The instructions must include an explanation of the circumstances under which the ballot must be rejected with respect to the statement.
- (e) If the clerk determines that the carrier envelope and other balloting materials will weigh more than one ounce when returned by mail to the clerk, the clerk shall include with the balloting materials a notice of the amount of first class postage that will be required for the return by mail of the carrier envelope and enclosed materials.
 - (f) The clerk shall include with the balloting materials:
- (1) a notice of the clerk's physical address for purposes of return by common or contract carrier or personal delivery in accordance with Section 86.006(a-1); and
- (2) the list of declared write-in candidates for the election, if applicable.
- The carrier envelope must include a space that is hidden from view when the envelope is sealed for the voter to enter the following information:
- (1) the number of the voter's driver's license, election identification certificate, or personal identification card issued by the Department of Public Safety;
- (2) if the voter has not been issued a number described by Subdivision (1), the last four digits of the voter's social security number; or
- (3) a statement by the applicant that the applicant has not been issued a number described by Subdivision (1) or (2).
- A person may use the number of a driver's license, election identification certificate, or personal identification card that has expired for purposes of Subsection (g) if the license or identification is otherwise valid.
- (i) No record associating an individual voter with a ballot may be created.

OCA-APPX-1455

Again, thank you for contacting our office. If you have any additional questions or if we can be of further assistance, please contact our office at 1.800.252.8683 or email us at Elections@sos.texas.gov.

Elections Division Staff Office of the Texas Secretary of State 1019 Brazos Street | Rudder Building, 2nd Floor | Austin, Texas 78701 1.800.252.VOTE (8683)

elections@sos.texas.gov | www.sos.state.tx.us

or Voter Related Information, please visit:



The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as a legal opinion for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From:

Sent: Wednesday, August 17, 2022 10:12 AM To: Elections Internet < Elections@sos.texas.gov>

Subject: Vote by Mail instructions

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I am writing you concerning how the new voting law impacts voters who vote by mail. I am asking you to highlight the change in the law that requires that voters who vote by mail indicate on the carrier envelope, before sealing it:

- The number of your driver license, election identification certificate, or personal identification card issued by the Texas Department of Public Safety (DPS);
- The last four digits of your social security number, if you have not been issued any of the abovementioned numbers by DPS; OR
- A statement that you have not been issued a number described by (1) or (2) above.

This change should be communicated separately to all voters who request a vote by mail ballot. It should be in bold on all instructions sent with the ballot. Voters should be reminded before the carrier envelope is sealed that they need to provide this information before the seal the envelope.

Your website clearly indicates this change and provides excellent instructions on what is required. I'm concerned that not enough voters will see this information before voting by mail.

I voted in an election earlier this year and my ballot was rejected. I found this out two weeks after the polls closed. The reason my ballot was rejected was because I didn't write my driver's license number underneath the flap that seals the carrier envelope.

I have voted by mail numerous times in Texas. When I received my ballot earlier this year, I looked through the instructions provided. I was not aware that there had been a change in the information required on the carrier envelope, under the flap. After I sealed the carrier envelope, I signed my name where indicated and looked at it one last time before I mailed it.

I feel like I am an engaged and educated voter yet my ballot was rejected. I'm concerned that many other vote by mail ballots will also be rejected because voters are not aware of this change. I feel it is imperative that all of us do everything we can to educate voters of this change so that everyone's vote is counted. Please help to bring awareness to this change.

Sincerely,

Sent from Mail for Windows

From: Sent:

2/28/2022 10:52:48 PM

To: Kristi Hart [KHart@sos.texas.gov] RE: unable to verify my info Subject:

Handled

From: Kristi Hart

Sent: Friday, February 25, 2022 5:06 PM To: VRTeam < VRTeam@sos.texas.gov> Subject: FW: unable to verify my info

Can someone call this gentleman? I was able to access his record on my first attempt on the ballot tracker.

From: Elections Internet <Elections@sos.texas.gov>

Sent: Friday, February 25, 2022 4:54 PM To: VRTeam < VRTeam@sos.texas.gov> Subject: FW: unable to verify my info

From:

Sent: Friday, February 25, 2022 4:23 PM

To: Elections Internet < Elections@sos.texas.gov>

Subject: unable to verify my info

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to

I mailed my vote by mail ballot and I got a corrective action paper saying I had not put my drivers license number on the outside envelope. That's wrong because both me and my wife checked our entire inside and outside ballot three times making sure we followed all the new rules. I tried to correct this online as it suggested but was told I didn't exist when I filled out the form and it dismissed me. I checked my registration and that is correct. I called my local office in Georgetown and they said half of the people are unable to get through this website with the same problem I just stated. That's curious. I have just finished cancer treatment and am nervous about going to the Wilco office to turn in the paper. How else can I verify with you my numbers so my ballot counts?

OCA-APPX-1458

From: Julia Montes [JMontes@sos.texas.gov]

Sent: 11/4/2022 6:01:19 PM

To: Elections Internet [Elections@sos.texas.gov]

CC: Kristi Hart [KHart@sos.texas.gov]

Subject: RE: Online tracker on TXSOS website for ABBM has a flaw that is preventing look-up

Please respond to voter letting them know the required information for the ballot tracker. They do have the option to contact the county if they are missing one of the items below or have issues.

To track your mail-in ballot, you must enter the following information:

- First Name
- Last Name
- Date of Birth
- The last 4 digits of your Social Security Number
- Your Driver's License or Department of Public Safety Personal ID number
- Your residential address (must appear exactly as listed on your voter registration record. To look up the address listed on your voter registration record, use the 'Am I Registered?' tool)
- City
- ZIP code

If you are having issues accessing the ballot tracker, please contact your county election officer. While our office hosts the website, the county is the one responsible for inputting information into the tracker. Contact information for your county can be found here: https://www.sos.state.tx.us/elections/voter/county.shtml

From: Elections Internet <Elections@sos.texas.gov>

Sent: Friday, November 4, 2022 12:32 PM To: Julia Montes < JMontes@sos.texas.gov> Cc: Kristi Hart < KHart@sos.texas.gov>

Subject: FW: Online tracker on TXSOS website for ABBM has a flaw that is preventing look-up

Importance: High

From

Sent: Friday, November 4, 2022 12:02 PM

To: elections@traviscountytx.gov; Elections Internet < Elections@sos.texas.gov>

Subject: Online tracker on TXSOS website for ABBM has a flaw that is preventing look-up

Importance: High

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https://teamrv-mvp.sos.texas.gov/BallotTrackerApp/#/login REQUIRES A TXDL # OR DPS PIN BUT THESE ARE NOT REQUIRED IF YOU USE THE LAST 4 DIGITS OF YOUR SOCIAL SECURITY NUMBER TO REGISTER TO VOTE.

THE TXSOS WEBSITE LOOK-UP FEATURE HAS A FLAW. THE LOOK-UP FEATURE SHOULD REQUIRE LAST 4 DIGITS OF YOUR SOCIAL SECURITY NUMBER **OR** TXDL # OR DPS PIN. THE LOOK-UP FEATURE SHOULD NOT REQUIRE BOTH, YOU HAVE A PROGRAMMING ERROR.

My mother-in-law has mailed back her ABBM. When I went to the ballot tracker at https://teamrv-mvp.sos.texas.gov/BallotTrackerApp/#/login, the online form gives me the following error message:

"You must enter your Texas driver's license # or DPS PIN"

My mother-in-law is registered using the last 4 digits of her social security number (which I entered into the online tracker form); however, the tracker form is requiring that I also enter a TXDL # or DPS PIN. She does not have a TXDL # or DPS PIN. She uses her passport when a photo ID is required.

Please advise.

Thanks!

CONFIDENTIAL STATE141332

Exhibit 105

The State of Texas

Elections Division P.O. Box 12060 Austin, Texas 78711-2060 www.sos.texas.gov



Phone: 512-463-5650 Fax: 512-475-2811 Dial 7-1-1 For Relay Services (800) 252-VOTE (8683)

ELECTION ADVISORYNo. 2022-02

TO: County Elections Officers (County Clerks/Elections Administrators/Tax

Assessors-Collectors)

FROM: Keith Ingram, Director of Elections

DATE: January 10, 2022

RE: Instructions and Deadlines for Mailing/Emailing Ballots Under the Federal

"MOVE Act" for Overseas Voters

Pursuant to the federal Military and Overseas Voter Empowerment ("MOVE") Act, the blank official ballot must be mailed or emailed to any voter who submits a Federal Postcard Application ("FPCA"). All FPCAs submitted on or after January 1, 2022 are effective for the 2022 primaries and general election.

Section 84.007, Texas Election Code, provides that if an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant must submit the original application by mail to the early voting clerk so that the early voting clerk receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA. An FPCA still has independent authority for email delivery under Section 101.052. This means an emailed FPCA is not required to be followed by hardcopy.

Deadline to Mail Overseas Ballots

As a reminder, all ballots to FPCA voters **must** be mailed on or before the 45th day before election day. **The deadline for mailing ballots for the 2022 primary election is Saturday, January 15, 2022.** Please note that although the deadline falls on a Saturday, it does <u>not</u> extend to the next business day. **Therefore, we recommend mailing your ballots by Friday, January 14, 2022.** If you plan on mailing your ballots on Saturday, we recommend that you consult with your local post office to confirm dates/hours their office will be open.

If a FPCA is received after the 45th-day deadline, the ballot should be mailed or emailed not later than the seventh calendar day after the date the FPCA is received. If a regular (non-FPCA) application for a ballot by mail is received after the 45th-day deadline from a voter who is not in the military or overseas, the ballot should be mailed not later than the

seventh calendar day after the date the application is accepted. TEX. ELEC. CODE § 86.004(b).

The following are important deadlines affecting FPCA voters:

March 1, 2022 General Primary Election

- Saturday, January 15, 2022 Deadline to mail or email ballots to ALL FPCA voters. (We have more information about deadlines to mail ballots in *Advisory No. 2021-18 March 1, 2022 Primary Election Law Calendar.*)
- Friday, February 18, 2022 Deadline to Receive FPCAs and Deadline to request an emailed, unmarked ballot.
- 3 Business Days after FPCA Voter Activity Submit your FPCA tracking information for new FPCAs received, FPCA ballots mailed and received to the Office of the Secretary of State in order that the Ballot by Mail Tracker is populated with timely information. As a reminder, offline counties can update FPCA information via file import, online counties may update directly in TEAM.

May 24, 2022 Primary Runoff Election

- Saturday, April 9, 2022 Deadline to mail or email ballots to ALL FPCA voters. (We have more information about deadlines to mail ballots in *Advisory No. 2021-18 March 1, 2022 Primary Election Law Calendar.*)
- Friday, May 13, 2022 Deadline to Receive FPCAs and Deadline to request an emailed, unmarked ballot.
- 3 Business Days after FPCA Voter Activity Submit your FPCA tracking information for new FPCAs received, FPCA ballots mailed and FPCA ballots received to the Office of the Secretary of State in order that the Ballot by Mail Tracker is populated with timely information. As a reminder, offline counties can update FPCA information via file import; online counties may update directly in TEAM.

November 8, 2022 General Election for State and County Officers

- Saturday, September 24, 2022 Deadline to mail or email ballots to ALL FPCA voters. (We will have more information about deadlines to mail ballots in our November 8, 2022 Election Law Calendar.)
- Friday, October 28, 2022 Deadline to Receive FPCAs and Deadline to request an emailed, unmarked ballot.
- 3 Business Days after FPCA Voter Activity Submit your FPCA tracking
 information for new FPCAs received, FPCA ballots mailed and FPCA ballots
 received to the Office of the Secretary of State in order that the Ballot by Mail
 Tracker is populated with timely information. If you need an updated spreadsheet
 for submission, please contact a member of the Voter Registration team as soon
 as possible.

Emergency Ballots

We would also like to take this time to remind you that you have the authority to create emergency ballots. If you do not receive your ballots in time to meet the 45-day deadline,

you may create your own paper ballots or, if you have a copy of the ballot in the Adobe .pdf format, which is often provided by the printer for your proofing, you may forward a copy to the voter. If you have a physical copy of the ballot and a scanner, you could scan the ballot and attach a copy of the scanned ballot to the email to the voter. If you have a copy of the ballot in Microsoft Word, you could attach a copy in that format. The main key is that it should be in a digital format that the average voter will be able to open and print.

Instructions for Emailing Ballots

Any voter who submits an FPCA and requests that the ballot be emailed, must be emailed a blank official ballot. The voter should be emailed a signature sheet and detailed instructions on returning their voted mail ballot. Below you will find information related to email instructions which we encourage you to use and modify as necessary for your county:

Instructions to the Early Voting Clerk

When an early voting clerk emails the balloting materials to a MOVE voter, the early voting clerk should take the following steps:

- 1. Paste MOVE Act Email Ballot Instructions into the email. The MOVE Act Email Ballot Instructions form contains several instances where the early voting clerk will need to add attachments and personalize the email to make sure that MOVE voters receive all instructions necessary for completing and returning the marked ballots, as appropriate to their early voting clerk.
- 2. Attach Ballot or Insert a Link to the Ballot and List of Certified Write-In Candidates (if applicable). The Early Voting Clerk will need to attach an Unmarked Ballot (appropriate to the voter's specific precinct) and the List of Certified Write-In Candidates, if applicable. The Early Voting Clerk may insert a link to the unmarked ballot, as the ballot is "static," which means that voter can mark and print the ballot without being connected to the Internet.
- 3. Attach all applicable instructions. The Early Voting Clerk must remember to include the ballot instructions for the applicable method of voting and the signature sheet (PDF) as prescribed by the Office of the Secretary of State.
- 4. Insert early voting clerk contact information in the attached notice to voter. In the email instructions to the voter, the early voting clerk should include the clerk's telephone number, email and mailing address in the designated areas for MOVE voters to use if they need additional assistance in completing or returning their marked ballot by mail.
- 5. The early voting clerk MUST provide the voter with a signature sheet that contains a place for the voter to include the required personal identification number.
- 6. The early voting clerk MUST provide the voter with information about mailing the voted ballot back to the early voting clerk.
 - The voter can mail their FPCA, ballot or FWAB postage-free using a proper return envelope. Below are the envelopes prescribed by FVAP for this purpose:
 - Standard U.S. Envelope Size (#10)
 - FPCA Postage-Paid Return Envelope
 - Ballot Return and FWAB Postage-Paid Return Envelope

- Ballot Return and FWAB Security Envelope
- Standard Europe Envelope Size (C4)
 - FPCA Postage-Paid Return Envelope
 - Ballot Return and FWAB Postage-Paid Return Envelope

NOTE: Starting in 2022, you must send the signature sheet to FPCA email ballot voters, as the voters must include their required personal identification number for review by the early voting ballot board.

- 7. The county has two choices with regard to the <u>carrier envelope or mailing</u> envelope for voters to use when returning the voted ballot:
 - The county may rely on the voter to print the carrier envelope from the link provided on the email; or
 - If the county has access to the appropriate software and the technological ability, it may include, as an attachment with the unmarked ballot, a carrier envelope file that has the voter's name in the upper left hand corner and the county's return mailing address to assist the MOVE voter in returning their marked ballot by mail.

Sample Email Instructions to Voter

The text below contains a sample email you may use to provide voters with their balloting materials. Please note that the email contains information that must be personalized to your county.

Dear FPCA Voter

Per your request and in accordance with the Military and Overseas Voter Empowerment (MOVE) Act, this correspondence includes your unmarked ballot for the upcoming election. This email also includes instructions for processing the ballot, and a list of certified write-in candidates, if applicable.

If, after reading the instructions, you have questions regarding the completion or return mailing of this ballot, please contact your early voting clerk at [insert county telephone number] or by email at [insert county email address].

Note: Your marked ballot must be received in our office by regular mail on or before 7:00 p.m. on <u>Election Day</u>. If you are a non-military overseas citizen submitting your ballot from <u>outside</u> the United States, the ballot must be postmarked by Election Day and received by the county elections office no later than the 5th day after Election Day. If you are a member of the military, Merchant Marine or National Guard, the ballot must be received by the 6th day after election day. If your ballot is not received by the applicable deadline, it will be rejected and will not be counted for this election.

Instructions for Processing the Emailed Ballot

- Open the attachment designated as the unmarked ballot, or click on the link in your email to access your ballot.
- Follow the ballot instructions provided for marking your ballot.

- Place the marked ballot in a secrecy (or security) envelope. An envelope may have been provided, or you may use any envelope you have at your disposal. If you cannot provide a secrecy envelope at all, don't worry; the lack of a secrecy envelope will not invalidate your ballot.
- Print out and complete the signature sheet (PDF). The signature sheet MUST be completed and returned with the voted ballot. The signature sheet contains information that is required for the Early Voting Ballot Board to verify when reviewing your ballot.
- Place your marked ballot contained in the secrecy envelope, and the signature sheet in your carrier envelope. Note that the carrier envelope is "postage-free" if mailed within the U.S. postal system, including APO and FPO addresses, U.S. Embassies and Consulates for use by absentee voters covered under UOCAVA. You are not required to use the "postage-free" envelope. You can place the marked ballot and signature sheet in a separate envelope and affix the proper postage for mailing.
- Put your name and current mailing address in the upper left hand corner of your mailing envelope or carrier envelope, if it has not already been pre-printed by our office. Also, put the county address in the middle of the envelope (if not already provided for you).
- Mail marked ballot to our county elections office: [county official, please insert your mailing address here for affixing to the federal envelope, if used].

Instructions for Marking the Emailed Ballot

• Make sure you follow the instructions provided by our office for marking the ballot and for voting for write-in candidates, if any.

Federal Write-In Ballot Process

- If you have submitted an FPCA by the state application deadline of the 11th day before election day AND you do not feel you can return your ballot by the deadline, you are entitled to use a "FWAB" -- a "Federal Write-in Absentee Ballot" -- to vote in federal elections only.
- The Federal Voting Assistance Program (FVAP) provides a Federal Write-In Absentee Ballot (FWAB) wizard. According to FVAP, this wizard will seamlessly, intuitively, and easily guide a military or overseas voter through the State-specific requirements for completing the FWAB, including providing the voter all federal candidate choices. Here is a link to their website: http://www.fvap.gov/.

Resources

The following items are helpful guidance on the MOVE Act's requirements:

- MOVE Act FAQ
- Administrative Rule Implementing the MOVE <u>Act</u>

If you have any questions relating to the implementation of the MOVE Act, please contact our office at your earliest convenience. You may reach the Legal Department at 1-800-252-2216, Option 2.

Exhibit 106

Email List

Member Login



■ Menu

Home About Us

About the League of Women Voters of Texas

About Empowering Voters. Defending Democracy.

The League of Women Voters of Texas is a nonpartisan, grassroots civic organization that encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy. Membership in the League is open to people 16 and older of all gender identities. With 100 years of experience, the League is one of America's oldest and most trusted civic nonprofit organizations.

MISSION

Empowering Voters. Defending Democracy.

VISION

We envision a democracy where every person has the desire, the right, the knowledge and the confidence to participate.

VALUE

We believe in the power of women to create a more perfect democracy.

DIVERSITY, EQUITY, AND INCLUSION POLICY

LWV is an organization fully committed to diversity, equity, and inclusion in principle and in practice. Diversity, equity, and inclusion are central to the organization's current and future success in engaging all individuals, households, communities, and policymakers in creating a more perfect democracy.

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There shall be no barriers to full participation in this organization on the basis of gender, gender identity, ethnicity, race, native or indigenous origin, age, generation, sexual orientation, culture, religion, belief system, marital status, parental status, socioeconomic status, language, accent, ability status, mental health, educational level or background, geography, nationality, work style, work experience, job role function, thinking style, personality type, physical appearance, political perspective or affiliation and/or any other characteristic that can be identified as recognizing or illustrating diversity.

LWV es una organización totalmente comprometida con la diversidad, la equidad y la inclusión en principio y en la práctica. La diversidad, la equidad y la inclusión son fundamentales para el presente y futuro éxito de la organización en la participación de todas las personas, hogares, comunidades y políticos en la creación de una democracia más perfecta.

No habrá barreras para la participación plena en esta organización por razón de género, identidad de género, etnia, raza, origen nativo o indígena, edad, generación, orientación sexual, cultura, religión, sistema de creencias, estado civil, estado parental, estatus socioeconómico, idioma, acento, habilidad, salud mental, nivel educativo o antecedentes, geografía, nacionalidad, estilo de trabajo, experiencia laboral, función del rol laboral, estilo de pensamiento, tipo de personalidad, apariencia física, perspectiva política o afiliación y / o cualquier otra característica que identifique, reconozca, o ilustre diversidad.

LWV Texas DEI Vision

Embraces and embodies diversity, equity, and inclusion as inextricable from the mission to empower voters and defend democracy

Engages in purposeful action to advance diversity, equity, and inclusion beyond words Commits at the individual and collective level to being more self-aware and understanding of diverse perspectives and experiences

Is known for being relevant, diverse, equitable, and inclusive—inside and out

Principles

The League of Women Voters believes in representative government and in the individual liberties established in the Constitution of the United States. The League of Women Voters of the United States believes that all powers of the U.S. government should be exercised within the constitutional framework of a balance among the three branches of government: legislative, executive, and judicial.

The League of Women Voters believes that democratic government depends upon informed and active participation in government and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, and making public records accessible.

The League of Women Voters believes every citizen should be protected in the right to vote; every person should have access to free public education that provides equal opportunity for all; and no person or group should suffer legal, economic, or administrative discrimination.

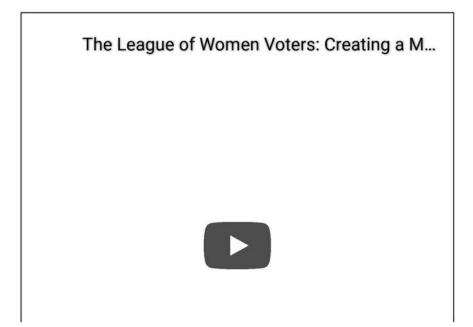
The League of Women Voters believes efficient and economical government requires compet personnel, the clear assignment of responsibility, adequate financing, and coordination among

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the different agencies and levels of government.

The League of Women Voters believes responsible government should be responsive to the will of the people; government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in the public interest, share in the solution of economic and social problems that affect the general welfare, promote a sound economy, and adopt domestic policies that facilitate the solution of international problems.

The League of Women Voters believes cooperation with other nations is essential in the search for solutions to world problems and that development of international organization and international law is imperative in the promotion of world peace.



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Exhibit 107



League of Women Voters of Texas Strategic Planning Goals 2022 - 2027

Achieve a Free and Fair Democracy

- Strengthen relationships with state and local election officials and like-minded community organizations to effect change
- Advocate with legislators and take legal action as necessary to make voting easier
- Educate local Leagues on best practices to achieve free and fair elections in their communities.

Increase Participation in Government

- Promote a diverse pool of people running for office at all levels
- Increase awareness of what elected officials and appointed bodies do
- Expand the pool of qualified election workers
- Improve government access and transparency especially for underserved communities
- Highlight good government practices and hold government accountable

Expand Voter Participation in Texas

- Increase voter registration rates
- Expand Get Out The Vote programs with partner organizations
- Broaden VOTE411 to cover more elections in unserved communities
- Identify barriers and customize approaches to reach low-propensity voters
- Make engagement in elections the norm, embedded in the culture of communities.

Create a League that is Diverse, Equitable & Inclusive

- Recruit board members and leaders with a variety of backgrounds, and who represent geographic, social-economic and racial diversity
- Diversify our membership to reflect the diversity in our state
- Make the League accessible and relevant to Texans, including diverse communities, youth, rural residents and people with disabilities.

Exhibit 108



Advocacy & Issues

A Guide to League Program Issues League of Women Voters of Texas 2020-2022

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League Principles

League Principles are concepts of government to which all Leagues subscribe.

They are the beliefs shared by League members everywhere. Principles are the basis upon which national, state, and local program is adopted.

The Principles themselves may be used to take action at any level of government.

However, because they are broad statements, such action is usually taken in conjunction with current League positions. Additional information on their use is found in <u>Impact on Issues</u>, the program publication of the League of Women Voters of the United States (LWVUS).

The League of Women Voters believes:

- In representative government and in the individual liberties established in the Constitution of the United States.
- That all powers of the U.S. government should be exercised within the constitutional framework of a balance among the three branches of government: legislative, executive, and judicial.
- That democratic government depends upon informed and active participation in government and requires
 that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions,
 holding open meetings, and making public records accessible.
- That every citizen should be protected in the right to vote; that every person should have access to free
 public education that provides equal opportunity for all; and that no person or group should suffer legal,
 economic, or administrative discrimination.
- That efficient and economical government requires competent personnel, the clear assignment or responsibility, adequate financing, and coordination among the different agencies and levels of government.
- That responsible government should be responsive to the will of the people; that government should
 maintain an equitable and flexible system of taxation, promote the conservation and development of
 natural resources in the public interest, share in the solution of economic and social problems that affect
 the general welfare, promote a sound economy, and adopt domestic policies that facilitate the solution of
 international problems.
- That cooperation with other nations is essential in the search for solutions to world problems, and that the
 development of international organization and international law is imperative in the promotion of world
 peace.

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Taking Action!

What is Advocacy and Issues?

This publication contains all the positions of the League of Women Voters of Texas (LWVTX), including an explanation and a history of all state advocacy since the adoption of the position. It is intended for LWVTX Issue Chairs, local League presidents, and any other member who is interested in League advocacy. It will help local League leaders understand and act on state League program. Advocacy and Issues is updated after each Texas legislative session and each biennial League convention.

What is program?

The word *program* has a special meaning in the League. It is not a meeting or a series of speakers. League program consists of the government issues selected by League members for study and – after consensus is reached – action.

LWVTX may also take action at the state level using **LWVUS** positions, and the League may not take action if we do not have a position. The LWVUS positions that we regularly use are listed at the end of *We Support* and our LWVTX positions, with a summary of our action.

What is program review?

In order to keep LWVTX positions current, certain positions are periodically updated. Members, issue chairs, and/or the state board recommend reviews during state program planning. The appropriate issue chair and/or a board-appointed committee carry out the review. If the committee recommends any changes and the board approves, delegates at the next Convention or Statewide Conference must approve them. Delegates readopt all positions at each biennial Convention with any approved amendments.

A Few Uses for Advocacy and Issues

This handbook may be used to:

- Educate local presidents, program/action vice presidents, and other members about state positions.
- Find state positions that may be used as a basis for action on local issues.
- Find additional background when responding to Action Alerts or other calls for action.
- Educate members about state program during the Program Planning process. (During Program Planning in the fall before the Convention, members will recommend issues for study and state positions to be reviewed or amended.)
- Help members with program language when they write letters, speeches, news releases, etc.

Action Guidelines for Local Leagues

Action is our League effort to bring about governmental change based on the positions we derive through member study and consensus. Because we are a multilevel organization with positions at each level, we must:

- Coordinate our action efforts to speak with one voice.
- Choose Priority Issues at all levels in order to allocate resources effectively and maximize political impact.

Action Guidelines for All Leagues

- Leagues act only when we have a local, state, or national position or are acting under League principles.
- Leagues never lobby in opposition to a League position.
- Lobby only your own representatives unless otherwise directed.
- Local Leagues may only lobby at the *local* government level without asking for state or national authorization; any local, state, or national position may be used to lobby at the local level.
- Only the president may speak for the League, unless another person is authorized by the president.

Advocacy Rules of Thumb

- Generally, local Leagues advocate to local officials, the state League advocates to state officials, and the national League advocates to national officials.
- If a local League wishes to advocate a local position to a state or national official, they must obtain authorization from LWVTX or LWVUS.
- The state League must obtain authorization to advocate a national official.
- For permission to lobby national officials: https://www.lwv.org/federal-action-request-form
- For permission to lobby state officials: lwvtexas@lwvtexas.org

Before Taking Action on an Issue, Ask Yourself

- Under what position do you wish to act: local, state, national? League Principles?
- Is authorization needed from LWVTX, LWVUS, or other local Leagues before you act? (See Action Guide on next page.)
- Who should receive copies of your letter, testimony, etc.? (See Action Guide on next page.)
- How can my League promote the action to get the best response from the community-letters to the editor, social media, website, email?

Action Alerts

There are three sources of action alerts: LWVUS, LWVTX, and your local League. Action in response to these requests is expected and does not require authorization.

- An Action Alert means your League's help is critically needed. Leagues are expected to respond to action alerts. Action alerts provide specific instructions.
 - LWVTX sends Action Alerts to all local League members by email and posts them on social media and lwvtexas.org. Action alerts give information on pending state legislation or governmental actions, and a sample letter to be sent to your elected representative or a legislative committee.
 - LWVUS sends Action Alerts to the League's online grassroots supporter list and state and local League presidents. These detail the subject under consideration, the proposed action steps, and the officials to be contacted.
 - All local League presidents are expected to respond to Action Alerts on behalf of their local League.

When You Initiate Action

Local action you initiate may require contacting officials shared with other Leagues. Or you may wish to contact officials other than your own. If so, you must contact the other local Leagues who are affected. For example:

- LWV Houston Area wants to testify before a state legislative committee holding a hearing in Houston on land use and protection of critical areas. They believe this is a good opportunity to advocate the League's state land use position. After authorization by LWVTX, they are ready to act.
- LWV Tarrant County wants to appear before the North Central Texas Council of
 - Governments on a regional issue. After consulting other Leagues in the region, they speak at the Council of Governments meeting.

Action Guide: What to Do When Your Local League Initiates Action Before a...

Local government or official in your League area only (E.g., city council, mayor, planning commission, school board)

✓ A local League board decision; copy action to local League files

Regional agency or official which is shared with other local Leagues (E.g., common city government or special purpose district, council of governments, regional task force)

- ✓ A local League board decision; copy action to local League files
- Requires authorization from other local Leagues affected by this action; copy to these local Leagues

State government or official (E.g., state representative or senator, governor, state agency)

- ✓ A local League board decision; copy action to local League files
- ✓ Requires authorization from LWVTX advocacy committee chair or president; copy action to state office by email to lwvtexas@lwvtexas.org

Federal government or official (E.g., member of Congress, federal agency, U.S. President)

- ✓ A local League board decision; copy action to local League files
- ✓ Requires authorization from LWVTX advocacy committee chair or president; copy action to state office by email to lwvtexas@lwvtexas.org
- ✓ Requires authorization from LWVUS (sometimes LWVTX can authorize); copy action to national office and to state office by email to lwvtexas@lwvtexas.org

LWVUS Recommendations for Taking Action

Speaking with One Voice

"Speaking with one voice" is one of the most important tenets of the League. The national League is responsible for determining strategies and action policies that ensure that the League's message on national issues is consistent throughout the country. Similarly, state Leagues are responsible for a consistent state message, and local Leagues must cooperate with one another to ensure that regional issues are addressed in a manner consistent with neighboring Leagues. Typically, the president of the national, state, or local League is the only person who speaks for the League in an official capacity, unless another person has been designated as the official spokesperson on a specific issue. This may be a League expert, a senior staff person, or a former board member. The key is that this designation is explicitly made by the appropriate Board. This helps to ensure that the League speaks with one voice. which is essential for our effectiveness as an advocacy and lobbying organization.

Advocacy vs. Lobbying

Advocacy is a broader concept than lobbying. Advocacy activities are often considered "educational." This is the case even when only one side of an issue is presented if no action on a piece of legislation is requested. Such activities can include: 1) developing public policy briefs that analyze issues and provide detailed information and recommendations for addressing them through specific reforms and 2) providing forums for discussing issues and educating policymakers and the public. Speaking in support of the organization is also advocating, i.e., for the overall cause of the organization.

Lobbying is defined as an attempt to influence specific legislation, both legislation that has been introduced and specific legislation that has been proposed. Lobbying includes actions that transmit a point of view on a specific piece of legislation to elected officials or their staffs, as well as action urging the public to contact their legislators about a specific piece of legislation. It also includes communications to the general public expressing a view on specific referenda or other ballot measures.

Applying Diversity, Equity, and Inclusion (DEI) Lens to Our Work

The DEI lens is a way of examining a program, a process, a product, or otherwise in relation to how it will be perceived by a variety of communities, voices, and perspectives, and what barriers may exist that are preventing it from being equitable or inclusive to everyone. All League work should be examined through this lens to best ensure that we are reaching the full diversity within League communities and are being equitable and inclusive in how we approach and execute our work. Applying a DEI lens asks that you consider the following key questions:

- 1. Who is involved in the process? Leagues should consider whether this work impacts a group or community, and is their voice represented and how diverse is the group of decision makers who represent a variety of relevant viewpoints.
- 2. Who will be impacted? Leagues should consider who benefits from this, how it helps meet the needs of underserved voters, and how we address various specific marginalized groups and how they'll be impacted.
- 3. What are the intended and unintended outcomes? Leagues should consider the issue we are trying to solve, what we hope will happen, what the potential negative impacts are, who could be hurt by this, what data or evidence supports this, and how might this be perceived by others.
- 4. Does this align with our vision for an equitable and inclusive organization? Leagues should consider how equity is addressed, what barriers might this place in the way of achieving equity, and how does this impact the organization's culture.
- 5. What changes could be made to make this more equitable? Leagues should consider what the shortand long-term goals are, what policies or bylaws need to be added or amended, what the benefits to members are, and what the benefits are for partners and/or members of the community.

Please consider downloading LWVUS DEI lens resource at https://www.lwv.org/league-management/dei-resources/dei-lens for inclusion in your planning documents.

Leagues should be aware that this process will take more time in the beginning, but as the DEI lens is regularly applied it will become easier to move through the questions, identify opportunities, and react in a way that bolsters DEI. In instances where Leagues go through the questions and find that the DEI lens is not present fully or partially, Leagues should work to include as many factors as possible and consider obstacles that led to gaps in one area versus others and how to continue to build upon this work anytime the League is taking action. When applying the DEI lens to events, Leagues should consult the LWVUS DEI checklist,

https://www.lwv.org/sites/defBault/files/2019-10/deichecklist_module2.pdf.

We Support 2020-2022

The League is a multi-issue organization and we hold positions on issues at the national, state, and local levels. These positions are updated periodically, and are readopted at each League convention. We use these positions for advocacy at all levels of the League. Each position is detailed in our publication <u>Advocacy & Issues</u>, with a history of our advocacy on the issue. A complete statement of LWVUS positions can be found in <u>Impact On Issues</u>.

League of Women Voters of Texas Positions

Government. Achieve an efficient, effective, responsive state governmental system through constitutional revision and legislative action.

Campaign Finance/Ethics. Eliminate excessive and/or inappropriate spending and limits to contributions to promote equitable competition among candidates. Strengthen accountability and combat undue influence.

Constitutional Revision. Support revision of the Texas Constitution to make it a framework of basic law.

Executive, **Legislative**, **and Judicial**. Increase the effectiveness of the executive department and the efficiency of the legislature. Support the appointment/retention method and/or nonpartisan election of the judiciary.

Financing State Government. Promote adequate and fair funding for major state responsibilities, equitable taxation and increased accountability.

Homeowners Associations. Protect against unreasonable foreclosure on homesteads, priority of payments, and election safeguards.

Payday and Auto Title Loans. Support regulation of payday and auto title loan businesses to function as a consumer service and a successful business.

Public School Finance/Testing/Accountability. Promote adequate state funding for public schools to ensure that all Texas school children receive a high-quality education. Oppose a voucher system. Support achievement tests that measure individual master and proficiency for diagnostic purposes, and a fair, nonpunitive accountability system.

Redistricting. Priority Issue - Achieve an effective method for drawing non-partisan boundaries for legislative districts.

State and Local Relations. Support increased county authority in order to better manage growth in urbanizing areas.

Voting Rights and Election Laws. Priority Issue - Support every citizen's right to vote (including online voter registration and same-day registration), uniformly enforced election procedures, clearly stated election laws that facilitate voter engagement and turnout.

Administration of justice. Achieve an equitable system of criminal justice in Texas for adults and juveniles.

Capital Punishment. Promote a moratorium on the death penalty. Support the option of life sentence without parole in capital cases.

Criminal Justice. Provide a secure prison environment with maximum educational opportunities and adequate health care. Promote meaningful sentencing reform. Support bail reform for economic non-violent crimes.

Drug Laws and Policies. Support treatment programs for drug abuse and addiction as an alternative to incarceration. Support elimination of penalties for cannabis when recommended by a physician or for small amounts.

Immigration. Support state services for all immigrants, especially education and health care.

Juvenile Justice. Support and fund substance abuse treatment, mental health needs, and education for youth at risk and for those incarcerated.

Trafficking of Persons. Support measures to prevent the use of force, fraud, or coercion to exploit a person for sex or labor; prosecute traffickers and protect victims.

Social Policy and Human Resources. Achieve equal rights for all; combat discrimination and poverty; and provide equal access to housing, employment, quality education, and health care.

Child Abuse and Neglect. Protect children from abuse and neglect through adequate funding, services and programs, training to report signs of abuse and neglect, and correctional measures for abusers. Enforce court orders for child support.

Domestic Violence. Support programs to eliminate the incidence of domestic violence, including protective orders and financial compensation for victims.

Early Childhood. Support early childhood education, professional development, and access to affordable, high quality childcare. Expand high quality prekindergarten. Increase services for children with disabilities/developmental delays.

Equal Opportunity/Income Assistance. Support action to achieve equal rights for all. Combat discrimination and poverty. Provide equal access to housing, employment, and education. Provide services and job training for income assistance (welfare) recipients.

Health Care for Those of Lesser Means. Urgent Issue - Support for a basic level of health care for the medically indigent, including children of low-income families. Support for expansion of Medicaid payments.

Health Care for Older Texans. Support adequate funding for a comprehensive health care system for older adults that ensures a seamless continuum of quality care.

Services for Behavioral Health Disorders. Ensure adequately funded services to enable the mentally ill to function at an optimal level in the least restrictive environment. Support for community-based residential services.

Transportation. Support a variety of transportation modes and services, and work to minimize harmful effects on the environment.

Natural resources. Achieve conservation, protection, and judicious development of the state's natural resources.

Climate Change/ Air Quality. Urgent Issue - Support measures to combat climate change, including promotion of renewable energy resources and energy conservation. Support control of air pollution in Texas.

Land Use. Support coordinated land use management. Preserve agricultural land and open space, and protect areas of special significance.

Water. Support funding for safe/adequate water, including conservation measures. Support groundwater protection, conservation, and development.

LWVUS Positions

Representative Government.

Open Government. Promote transparency and public participation in government. Protect citizen's right to know and facilitate informed understanding of government decision-making.

Women's Health/Reproductive Choice. Urgent Issue - Support adequate funding for basic health care for those unable to pay. Protect the constitutional right of privacy of the individual to make reproductive choices with access to comprehensive reproductive health services. Support medically accurate sexuality education.

Social Policy.

Child Health/Children at Risk. Promote the well-being, full development and safety of all children. Ensure adequate funding, improve enrollment and retention, and maintain effective delivery systems for the Children's Health Insurance Program and Children's Medicaid.

Gun Policy. Protect the health and safety of citizens through limiting the accessibility and regulating the ownership of handguns and semi-automatic weapons. Support regulation of firearms for consumer safety.

Natural Resources.

Energy. Support policies that reduce energy growth rates, emphasize energy conservation, and encourage the use of renewable resources.

Hazardous Waste. Promote policies for solid and hazardous waste, including reduced generation, reuse and recycling, and safe transportation, handling, and disposal.

Program Study/Review/Update

Adopted by Convention 2020

Review and update of the LWVTX Voting Rights/Election Laws position.

- a. Focus. Assess the impact of the current state of election administration and technology, including voting process protections.
- b. *Scope.* 1) Review and possibly update the following Facts and Issues from our 2010 study of Voting Procedures to Increase Voter Participation: Vote by Mail, Election Day Centralized Voting (now called Countywide Polling Place Program), Instant Runoff Voting, and Military and Overseas Internet Voting.
 - 2) Develop new Facts and Issues on Physical and Cybersecurity Measures and Election Equipment, and Measures to Increase Confidence in Elections.
- c. Rationale. This update was recommended by Issue Chair Cinde Weatherby. Since 2010 several of the recommendations from the past study have been implemented in Texas or elsewhere. Technology has rapidly evolved in the past nine years, while the potential for interference in elections looms large. The work will be aided by a recent LWV Wisconsin study completed in late 2018, as well as by a current ongoing multi-state League study of cybersecurity and elections led by LWV Oregon.

Review and update of the LWVTX Immigration position.

- a. Focus. Update our Immigration position to address current issues related to the treatment of immigrants in Texas.
- b. *Scope.* 1) Study the impact of family separation, detention centers for men, women, and children; all persons including children without legal representation; all persons including children without adequate medical care, food, heat, and basic comforts.
 - 2) Study the effects of racial profiling and the cooperation between ICE and local law enforcement, as dictated by SB 4 (2017).
 - 3) Study the covert, chartered, pre-dawn ICE flights that transport refugees to Guatemala.
- c. Rationale. This update was recommended by LWV Comal Area and Issue Chair Gloria Suarez Sasser. The current position on Immigration is now 23 years old, and it focuses on immigrants after they are allowed into the United States. Today issues of immigration have changed, and our position needs to reflect the current state of immigration in Texas.

2020-2022 LWVTX Program Positions

With complete wording, explanation, and history of our advocacy

I. Government

A. Campaign Finance/Ethics

1992, 1999 (See also LWVUS position "Money In Politics" in Impact On Issues)

Campaign Finance

The League of Women Voters of Texas supports laws and practices relating to political campaign finance that eliminate excessive and/or inappropriate spending and promote equitable competition among candidates. Appropriate measures include:

- A limit on the total amount of campaign contributions a candidate may accept from a person or an individual political action committee (PAC).
- A limit on the total amount a candidate may accept from PACs, individuals, and out-of-state contributors.
- A limit on the total amount of contributions a candidate may accept.
- A limit on the time during which a candidate may accept contributions.
- A limit on what a candidate may spend to get elected.
- Comparable media public service time and/or space made available to candidates who agree to limit their campaign expenditures.
- Requirements that campaign contributions be used only for campaign expenses.
- Responsibility of the media to:
 - Encourage candidates to discuss issues.
 - Report inconsistencies in public statements by candidates.
 - Assign reporters with appropriate expertise to cover campaigns.
 - Seek independent verification of candidate allegations.
- Responsibility of candidates to:
 - o Articulate their positions on issues.
 - Verify allegations prior to their release.
 - Control the conduct of their campaigns by staff and consultants.
 - Be accountable for advertising decisions.
 - Voluntarily limit campaign spending.

Ethics

The League of Women Voters of Texas supports limits on the contributions that can be accepted by political parties in Texas and supports enforcement of regulations governing their use.

The League of Women Voters supports public financing for state elected offices in Texas. In order to receive public funding, candidates would agree to limits on private contributions and campaign spending.

The League of Women Voters of Texas supports changes in laws, practices, and policies governing political campaigns in order to protect citizens' right to know; strengthen accountability in financial reporting; combat corruption and undue influence; and promote fairness and accuracy on the part of candidates, public officials, former officeholders, lobbyists, and the media.

The League of Women Voters of Texas supports full, timely disclosure through electronic filing of required finance reports. Specifically, the League supports:

- Requirements that candidates report or disclose:
 - The total amount of contributions during a year.
 - In-kind contributions.
 - Personal finances, income distributions, and assets/liabilities.
 - Any funds deposited in a political account.

- Ethical standards that include:
 - A minimum time before a former elected official can become a paid lobbyist.
 - A requirement that lobbyists disclose gifts to candidates.
 - A fairness code governing the conduct of individuals and groups engaged in election campaign.

Explanation: Campaign Finance/Ethics

The LWVTX was founded in 1919 to carry on the work of the Texas Equal Suffrage Association after the ratification of what was then called the Susan B. Anthony amendment, giving women the right to vote in Texas. Many early activists felt that efforts to promote informed and active citizenship were a necessary and logical next step for those involved in the suffrage movement (Humphrey, J. G., 1988, A Texas Suffragist). These efforts are still part of the League's mission.

In recent years, the breakdown of confidence in the integrity of the electoral process in Texas and nationwide sparked an interest among League members in examining the political campaign process and its effect on voter disillusionment and apathy. These considerations led delegates to Convention 1991 to adopt a study of the Political Campaign Process in Texas, which would evaluate political campaign laws, practices, and finances, and their ethical implications. Facts & Issues: How They Run, The Political Campaign Process in Texas, was produced by the study committee and circulated to members, public officials, and other interested persons. Consensus was reached in the fall of 1992, and the state board announced the position in November of that year.

During the Periodic Program Review process of 1997-98, the committee suggested additions to the 1992 position that would allow the League to advocate for public financing of campaigns and for better disclosure procedures of campaign funding. The additional positions were adopted at Convention 1999.

History: Campaign Finance/Ethics

1991. In the 1991 Legislature the League supported the creation of the Texas Ethics Commission as originally introduced. This support was based on the LWVUS position calling for an independent body to monitor and enforce laws concerning the election of public officials. However, the bill that finally passed had been considerably weakened, and the League decided to oppose the proposed constitutional amendment on the November 1991 ballot because the prescribed method of appointing members to the commission was flawed. The amendment passed, however, and the commission was created in January 1992. The League closely monitored the proceedings of the Ethics Commission during its first two years of existence, 1992-93.

1993-94. During the 1993 Legislative Session, Political Campaign Process was one of the League's priority issues, and an advocacy paper, "Take Back the System," was published. LWVTX supported bills that would have imposed limits on campaign contributions and expenditures, working in coalition with groups such as Common Cause and Public Citizen. These bills did not pass.

Several bills were introduced which would have modified the commission's regulation of lobbyists. These proposals were a mixed bag, from the League's point of view; none were enacted. After the session ended, a League representative was asked to serve on a Rules Advisory Task Force to evaluate the rule-making authority of the Ethics Commission, including that of regulating lobbyists' activities.

The League also joined a coalition of public interest groups that asked candidates running for the Texas Supreme Court, Court of Criminal Appeals, and Courts of Civil Appeals to sign a Fair Campaign Practices Pledge. This initiative was undertaken in response to concerns expressed by citizens, attorneys, and judges about special interest contributions to judicial campaigns and the possible effects of such gifts on judicial decisions.

1995. The notion that justice was for sale came to a head in the 1994 General Election and helped create a climate in which campaign finance reform had the attention of the 74th Legislature. A law was passed that limits the period of time in which judicial candidates can accept contributions and the amount of money they can accept from specific sources, including law firms and political action committees (PACs). The measure also provides for voluntary limits

on candidates' expenditures. The LWVTX supported the Judicial Campaign Fairness Act and looks to it as a step toward more comprehensive reform in the next session.

Campaign finance reform and other aspects of the political campaign process in Texas will continue to be active issues in the foreseeable future, and the LWVTX will maintain an active role in advocating its positions.

1997. Although many bills relating to election laws/campaign finance were filed during this session, few met with success. The League published an advocacy paper, "Take Back the System: Campaign Finance Reform in Texas," and also actively supported a bipartisan bill to move primary elections from March to May. Using testimony presented to the House Elections Committee, the League distributed information to each member of the House prior to floor debate. The bill passed the House, but failed to pass in the Senate.

1999. Disclosure of campaign funding through the filing of campaign finance reports became the focus of League efforts during the legislative session. The League was successful in achieving passage of a measure that mandates that campaign finance reports be filed electronically and published by the Ethics Commission on the Internet. A new advocacy paper was produced for this session and is listed below.

2001. Limits on campaign contributions and expenditures continue to elude us. Very few bills were filed in the 77th legislative session that would provide for limits, and those that were, did not get hearings. Both political parties continued to support closing loopholes in existing disclosure laws. Comprehensive bills were filed in the House and the Senate, but differences over including identification of contributors' occupations and employers (and other issues) sent the bill to a conference committee. No agreement was reached and the bill died in committee. The League was active throughout the process providing testimony in favor of the House version, and urging passage out of the conference committee.

2003. The Ethics Commission was due its first review by the Sunset Review Commission since its establishment in 1991. In anticipation of legislation to be presented in the 78th Session of the Texas Legislature, the League joined Show Me the Money, a coalition composed of 60 diverse organizations throughout the state. Of these, six organizations, the LWVTX, Common Cause, Campaigns for People, Public Citizen, The Baptist Christian Life Commission, and Texans for Public Justice, developed strategies during the interim to prepare for legislation in the upcoming legislative session.

House Speaker Craddick appointed a Select Committee on Ethics, which introduced a comprehensive bill that outlined reforms to make the Ethics Commission more effective and included strengthening disclosure laws. The League testified in favor of the bill although it did not include all the reforms the coalition and we would have liked. The bill passed the committee unanimously, and subsequently passed the House. However, the Senate Government Organization Committee produced and passed a watered down bill, despite testimony presented by the League and other coalition members. The watered down bill passed the full Senate. As a result, the bill was referred to a Conference Committee to settle House and Senate differences. Fortunately, the Conference Committee restored the provisions that had been deleted by the Senate.

The Governor signed the bill. These provisions will:

- Restrict contributions until after the deadline for the governor to veto bills.
- Require disclosure of cash balances.
- Require reporting of occupation and employer of large donors.
- Require filing of campaign reports electronically.
- Prohibit lawyers to represent paying clients before state agencies.
- Require disclosure by lawyers of trial delays during the legislative session.

During the 79th Legislative Session, a coalition of diverse, statewide organizations concerned about the unlimited amounts of money used to finance our state's elections will focus on:

- Closing corporate and union money loopholes.
- Setting reasonable individual and aggregate contribution limits.

- Improving the effectiveness and independence of the Texas Ethics Commission.
- Opening the legislative process and recording legislative votes.

2005. In preparation for the 79th Legislative Session, the LWVTX collaborated with a coalition of over 60 diverse, statewide organizations, including both political parties. There was great concern about the unlimited amounts of money used to finance campaigns, and concern about unnamed corporations that contributed undisclosed millions of dollars to defeat candidates with mass mailings, negative issue ads, flyers, and phone banks. This appeared to circumvent the century-old Texas state law prohibiting corporations and unions from contributing funds for administrative costs to engage in political activity. The fundraisers claimed that the issue ads were educational because they did not use the words for "for" or "against" the candidates they were targeting. These activities were concentrated in the last 60 days before the primary election of 2002. The proponents also claimed that the definition of administrative costs in the Texas Election Code was unclear. As a result, the coalition agreed to focus on:

- Closing the cooperate and union money loopholes
- Setting reasonable individual and aggregate corporate contribution limits
- Improving the effectiveness and independence of the Texas Ethics Commission
- Opening the legislative process and recording non-ceremonial votes

During the session, the group prioritized its focus primarily on closing the corporate and union money loopholes. Working with Representative Eiland (D-Galveston) and Representative Smith (R-Euless) that ensured bipartisan support, a bill was filed, HB 1348, that would specifically define administrative costs as those incurred in the normal course of business, would prohibit acceptance of contributions and make expenditures 60 days before a primary election, ban sham issue ads 60 days before the primary election, and would prohibit expenditures from PACs not connected to unions and corporation. Over 90 bipartisan House members signed on as cosponsors.

A subcommittee of the Elections Committee held a public hearing in which the League presented testimony and was left pending with a substitute. The Elections Committee did not hold a hearing. Consequently, a bold maneuver to bypass the Elections Committee and debate the bill on the House floor was attempted but was defeated when Representative Keel, one of the cosponsors, scuttled the bill on the basis that it bypassed the legislative process. Subsequently, the Elections Committee held a formal hearing and defeated the bill 4-3. The bottom line is that the bill did not have the support of the House leadership, most of who benefited from the unreported funds given by the unnamed corporations. It is very likely that the issue will be visited in the 80th Legislative Session.

2006 (Legislative Interim). The LWVTX joined with Common Cause Texas and Texans for Public Justice in efforts to make the state government more transparent and accountable. The groups, acknowledging that reforms are needed to strengthen Texas' campaign finance laws and insure open and independent government, free from the influence and dominance of special interests, developed a list of five, nonpartisan reforms:

- Place a \$100,000 aggregate limit on individual contributions
- Close the revolving door between the legislature and lobbyists
- Keep judges independent by appointment and retention election
- Record all nonceremonial legislative votes
- Create an independent redistricting commission

2007. In the 80th Legislative Session, the League, in collaboration with Common Cause, Texas for Public Justice, Public Citizen, Baptist Christian Life Commission, and Gray Panthers, focused on two of the five campaign finance issues agreed to in the 2006 interim. The group advocated and provided testimony for three bills limiting individual contributions. HB 110 (Strama) broke down in categories the amount the limits would impose on candidates for the executive branch, state senator, state representatives, and state board of education. HB 111 (Villereal) would impose limits of \$ 100,000 on the total amount an individual could contribute to a candidate in an election cycle. HB 1085 (T. Smith) prohibited the use of corporate or union funds to pay for phony issue ads. Closing the revolving door HB 602 (Howard) required legislators who leave office to wait 2 years before becoming lobbyists. None of these bills made it out of the Elections Committee.

Two disclosure bills we supported did pass although without the governor's signature. These bills provided some measure of success in the session. The Texas Ethics Commission ruled it had no authority to report the value of cash gifts given to elected officials unless the legislature passed required legislation. To correct this, HB 158 (Naishtat) would require the reporting the value of cash gifts. Both houses of the legislature passed it. SB 64 (Zaffirini), passed by both houses, requires a general-purpose committee to file additional reports 9 days before an election until noon on Election Day. This would curtail the "late train" donations before an election in which the public was not previously informed.

2009. In the 81st Legislative Session, not much progress was made to reform the way political campaigns are financed. Four minor bills supported by the League were passed by both Houses and were signed by the governor. Two of the bills were related to the Texas Ethics Commission: HB 3216 provides for immediate notification to respondents of complaints either electronically or by telephone and by written notice after 5 days; HB 3218 requires that a sworn complaint must include the person's name, address, telephone number, email address if known, be a resident of the State of Texas, and include other pertinent information. These reforms standardize the complaint process.

SB 1152 prohibits accepting political contributions in state buildings. HB 4060 limits the time when judicial candidates can accept contributions even if the candidate is unopposed. While these four bills could be called piece-meal legislation, they do tighten up some loose ends of the political campaign process. More comprehensive legislation such as HB 105, the Texas Fair Campaign Act, HB 391 and SB 246, The Clean Elections Act, would impose limits on individual campaign contributions for elected state offices. The League supported these measures.

2011. In the wake of the most expensive election in the state's history, it should come as no surprise that campaign finance reform was a low priority this session. Only one League-supported campaign finance bill (HB 336) passed. It requires school boards to post candidate financial information on their websites, beginning September 1, 2011. Strangely, a very similar bill that focused on city and county elections failed to get out of committee.

2013. On May 1, 2014, the House State Affairs Committee held an interim hearing on campaign finance disclosure. This hearing was to revisit the issue that was addressed in the 2013 session by SB 346 (Seliger), a bill that was passed by both legislative chambers but was vetoed by the governor after adjournment.

Currently, names of contributors who give directly to candidates and officeholders must be disclosed, but certain types of political PACS are not required to disclose the names of their contributors. The League believes that voters have the right to know the names of any person or entity that spends money to influence elections.

At the hearing, a Utah legislator testified about a political scandal in his state in which members of his own political party forced the Utah Attorney General to step down after an investigation conducted. The investigation revealed that much of his campaign money, although "laundered" four times, came from the payday loan industry after he had made promises to rule in their favor. The Utah legislator urged the Texas Legislature to pass stringent disclosure measures.

While the LWVTX does not believe that disclosure is the only remedy to a government answerable to the people and not just big donors, we see it as an essential part of democracy. We expect to work with the legislature in the next session to get this measure passed.

2015. The governor stated that one of his five priorities for the 84th Legislature was to address ethics reform. The LWVTX worked with the Texas Anti-Corruption Campaign (TACC), a partnership of several organizations, including Common Cause, Public Citizen, and Clean Elections Texas, to track and support serious ethics reform bills.

More than 100 bills were filed relating to government ethics. Just 15 passed the House and Senate. Two were vetoed. The bills passed were, by and large, limited efforts to curb specific abuses in a piecemeal manner. For example, SB 20 (Nelson), which the LWVTX watched carefully, did pass and, while it has some loopholes, it has the

potential to prevent some contracting abuses. Another bill, HB 23 (Davis, Sarah), which the LWVTX supported, will extend contracting disclosure requirements to immediate family members.

SB 19 (V. Taylor), the most comprehensive bill, which the LWVTX testified on, passed both the House and the Senate. Although it was not perfect, following testimony by the LWVTX and other organizations it was improved to include a number of provisions that, if enforced, would have strengthened the Texas Ethics Commission and established meaningful guidelines and criminal offenses for serious official misconduct. Unfortunately, it did not pass out of conference committee, apparently due to disagreements regarding whether to include curbs on "dark money" (undisclosed

campaign contributions). The last-minute loss of this bill means serious reforms to rein in egregious campaign practices and almost unimaginable spending once again have eluded us.

Most significant, HB 1690 (P. King), which the LWVTX strongly opposed, passed and was signed by the governor. Its primary purpose was to dissolve the Public Integrity Unit based in the Austin District Attorney's office. Instead, the Texas Rangers are to investigate complaints and refer them to the alleged offender's home county prosecutor. The LWVTX concern is that this bill creates a separate and unique legal system for politicians and government officials. In addition, a strong nondisclosure provision will prevent public scrutiny. We are left to conclude that the political will to root out and prevent corruption just wasn't there, despite the governor's professed concerns.

2019. We registered support for two bills, HB 1876 and HB 1877 (Davis). Both were omnibus bills which incorporated several laws passed by the House in 2017, but not the Senate. The Texas Ethics Commission for recommended these bills.

HB 1876 would have expanded the blackout period for political contributions that exist for the regular legislative session to also apply to special sessions. HB 1877 would have allowed corporations and labor organizations to make political contributions to certain political committees; extended existing prohibition of using public funds to make political contributions to include an officer or employee with a political subdivision; removed unconstitutional regulations on contributions to Speaker of the House campaigns. Both bills were left pending in the House State Affairs committee.

B. Texas Constitutional Revision

1954, 1959, 1962, 1969, 1971, 1979, 1993

The League of Women Voters of Texas supports revision of the Texas Constitution. Principles for a good constitution include:

- A bill of rights.
- A framework of basic law.
- Clear separation of powers with responsibility definitely assigned.
- Qualifications for voter eligibility and guarantees of fair elections.
- Provisions for justice with a minimum of delay.
- A coordinated finance structure capable of flexibility.
- Maximum home rule for municipal and county governments with coordination of overlapping functions.
- Provisions for support of public education.
- Provisions for support of public health and welfare services.
- Provision for amendment and revision.
- Basic policies regarding state employee selection, retention, and promotion.

Explanation: Texas Constitutional Revision

Interest in Texas constitutional revision grew out of a 1948 League *Know Your State* survey. By 1954 the League had reached consensus supporting general revision of the constitution, to be preceded by thorough review and adequate research. By 1959 the League had adopted nine principles for a good constitution, adding a tenth in 1959, an eleventh in 1971, and a twelfth in 1979. The last was dropped by delegates to Convention 1993. In response to renewed interest in Texas constitutional revision, the Convention 2003 requested that the LWVTX develop a publication with up-to-date information on this position.

History: Texas Constitutional Revision

1962-70. League members agreed in 1962 that a constitutional convention position preceded by qualified research is the most desirable method for general revision of the constitution. A Texas House resolution in 1967 established a 25-member Constitutional Revision Commission, and the governor appointed a League member to the Commission. League members, fearing they would be unable to support the commission-revised constitution even if the wished to do so, added a new position in 1969: "...preferably by a constitutional convention although alternative methods can be supported."

The completed document, submitted to the legislature in 1969, failed to win the approval of two thirds of both houses. The League supported this document because it was more logically arranged, shorter, and more understandable. Obsolete sections had been removed. Action in 1969-70 centered on supporting three proposed constitutional amendments. Voters approved the amendment to remove some obsolete, superfluous, and unnecessary sections of the constitution.

1972-75. In 1972 the League supported a constitutional amendment calling for members of the legislature to sit as a constitutional convention beginning in January 1974. Voters approved this amendment, and a 37-member Constitutional Revision Commission was appointed to study the present constitution. A League member was appointed to this commission. At a series of statewide hearings held by the Commission, members of both the state League board and many local Leagues testified regarding League positions. The League supported the recommendations of the Commission.

As a result of an article and tear-off postcard in the *Texas Voter*, the League added new details to its Texas Constitutional Revision position:

The question of calling a constitutional convention should be submitted to voters at least every 20 years; the legislature should provide for the election of delegates from each legislative district and should appropriate sufficient funds for the work of the commission and convention.

When the constitutional convention convened in January 1974, League members across the state worked hard to get League positions incorporated in the new constitution. The convention was unable to produce a document to submit to voters. In 1975 the 64^{th} Legislature approved a new constitution to be voted on article by article. Once again the League worked tirelessly for passage of a revised constitution, but all 11 articles were defeated at the polls.

1987-89. The League made constitutional revision and advocacy issue in 1987 when 25 proposed amendments were submitted to voters. The League neither endorsed nor opposed individual propositions, but widely publicized the view that many of the proposals dealt with matters that should not be in a state constitution, and that the large number and complexity of propositions demonstrated the need for constitution reform. The League reiterated its arguments for reform again in the fall of 1989 when 21 proposed amendments were on the ballot.

At Council 1988 League members heard a speech by Professor Terrell Blodgett of the LBJ School of Public Affairs, University of Texas at Austin, in which he encouraged the League once again to look at constitutional revision. He also presented the League with a check from a disbanded coalition account dating to the time of the 1974 constitutional revision efforts. League directors talked legislators about the possibility of another revision attempt. Legislators and other state officials advised that it would probably be better to wait until after the 1991 session when redistricting had been completed.

1990s. Unfortunately, legislators showed little interest in constitutional revision in the 1991, 1993, 1995, and 1997 sessions. However, the League continued to call attention to the need for a new constitution in conjunction with the inordinate number of proposed amendments that appear on the ballot after each legislative session.

1999. Leaders in the House and Senate introduced companion bills to attempt constitutional revision through a legislative process, the reopening an official discussion after many years of silence. While the LWVTX was not able to

support the specific proposals in the legislature, we issued a press release supporting the concept of constitutional revision.

2005. The LWVTX provided updated written information to local Leagues about the history of constitution revision in Texas and the current state of constitutional reform. The LWVTX worked with KLRN in San Antonio to produce and televise a successful program, "Conversations on the Texas Constitution."

Position is now inactive.

C. Election Laws & Voting Rights

1999, 2010 (See also LWVUS position "Citizen's Right to Vote" in Impact On Issues)

The League of Women Voters of Texas supports every citizen's right to vote, improvement in voter registration procedures, uniformly enforced election procedures, clearly stated election laws that facilitate citizen participation, and the right to a secret ballot.

Specific measures include:

- Adequate safeguards against fraud.
- Convenience to the voters.
- Impartiality of treatment for all voters.
- No declaration of party affiliation when registering.
- Revision of election laws to ensure enforcement.
- Supervision of all local elections by a single county election authority responsible to a central state authority.
- Mandatory uniform training for all election personnel.
- Provision for jointly conducted primaries.

Criteria for election administration should include:

- Reasonable costs for conducting elections.
- Election laws and procedures that uniformly and regularly produce honest and accurate results.

The League of Women Voters of Texas supports election laws that facilitate citizen participation and voter convenience, as well as voting procedures that may increase voter participation.

Our support includes, but is not limited to, the following:

- The use of uniform election dates for local and state elections whenever possible.
- Consolidation of polling places when several governmental entities conduct elections simultaneously.
- Reduction of the number of days between the primary and general elections.
- Unlimited access to vote-by-mail with no restrictions.
- A permanent vote-by-mail list on which any voter may request to be placed.
- The establishment of guidelines that would allow jurisdictions to conduct all vote-by-mail elections.
- Election Day registration.
- Election Day centralized voting, with applicable safeguards.
- Poll site Internet voting for military/overseas voters.

Explanation: Election Laws, Voting Rights

The right of every citizen to vote is a principle of the League of Women Voters. The 1976 national Convention delegates adopted voting rights as an integral part of the national program. This added impetus to the LWVTX position and provided additional ways for Leagues to take action through vertical programming.

In 1991 the LWVUS Board of Directors launched the campaign to "Take Back the System" as the top priority of the League. Included in this campaign was a major grassroots effort to pass the National Voter Registration Act (NVRA), finally passed by Congress in 1993. The LWV believes the legislature should be given the responsibility and the necessary authority to build a statutory framework essential for a proper electoral system. The specific details of election administration are thus left to legislation.

During the LWVTX periodic program review of 1998-99, the positions dealing with election laws which had been part of "Political Campaign Process" were moved to be part of "Election Laws and Voting Rights," where they seemed to fit more logically.

At Convention 2008 a study of "Voting Procedures to Increase Voter Participation" was adopted. A *Facts & Issues*, consisting of five separate papers, was distributed to members electronically. Consensus on several issues was achieved and was added to our position in 2010.

History: Election Laws and Voting Rights

1985-86. A bill recodifying the election code was passed by the 1985 Texas Legislature; it became effective January 1, 1986. The recodification was a result of more than a year's work by the Joint House-Senate Select Committee on Election Code Revision and its advisory committee. The LWVTX was represented on the advisory committee and actively supported the recodification bill during the. With passage of the legislation, the LWVTX position on recodification was achieved after many years of advocacy. Therefore delegates to the 1987 Convention voted to drop the position.

In addition to eliminating obsolete matter and clarifying some ambiguous provisions, the recodification addressed several of our other positions, including: mandatory uniform training for all election personnel; supervision of all local elections by a single county election official responsible to a single state authority; protection of secrecy of the ballot; and restoration of voting rights to ex-felons 2 years after completion of probation, parole, or mandatory supervision.

1987-89. During the 1987 Texas Legislative Session, the League supported a bill providing for conjointly operated primaries, which failed to pass. A bill requiring agency-based voter registration passed the legislature but was vetoed by the governor. In 1989 the League supported an omnibus voter registration bill that included voter registration when a person applies for a driver's license or personal identification card ("motor voter"), a change in the purge date, and changes in the method of verification by computer. This legislation passed the Texas Senate but died in the Texas House.

1991. The 1991 session of the legislature was a productive one for voting rights issues. A motor voter bill was introduced and strongly supported by the League. Although it appeared to be progressing well, in the waning hours of the session its sponsor withdrew the bill from House consideration when it appeared that strong opposition to the method of funding was certain to kill the bill. However, a similar bill passed quietly through the first special session as a small addendum to the weighty bill reorganizing the Texas Highway Department and the Department of Aviation into the new Texas Department of Transportation. Thus without fanfare, Texas joined the vanguard of states with motor voter legislation in place.

Additionally, the League supported legislation to extend hours of early (formerly "absentee") voting in person in counties with a population of 100,000 or more, and in counties of 4000,000 or more to provide additional places for early voting. This bill eventually passed. Other successful bills supported by the League included one that amends the voter application form by identifying the "county in which applicant resides and intends to vote." Another bill broadens the jury source to include all those who have a valid driver's license or personal identification card issues by the Department of Public Safety.

1993. In 1993 two bills were introduced which would have facilitated voter accessibility to the electoral process by permitting voter registration at all state agencies dealing directly with the public and allowing election day registration at polling places. The League supported these measures and countered opponents' arguments with evidence that similar laws in other states do not encourage fraudulent practices. The bills died in committee.

In the study of the Political Campaign Process in Texas (1991-93), League members reached consensus in support of changes in election laws to shorten the election cycle. The League believes that a shorter cycle would reduce the cost of campaigning and lessen the pressure on candidates to raise enormous amounts of money. A sorter election

cycle was also one of the Texas Ethics Commission's recommendations to the 73^{rd} Texas Legislature. There was some discussion of this recommendation in committee hearings during the 1993 session, but the topic did not gain sufficient momentum for serious consideration

1994-95. The LWVTX voting rights efforts during this period focused on assuring full implementation of the National Voting Rights Act (NVRA) in Texas. The national motor voter law, which went into effect January 1995, extends Texas' previously enacted motor voter law by providing for voter registration at additional government agencies, including those that serve people with disabilities or provide public assistance. Bills enacted in the 1995 Texas Legislative Session established implementation procedures hat have brought Texas into full compliance with the federal statute.

A League representative served on the state NVRA Task Force, appointed by the secretary of state, charged with assisting Texas to achieve the NRVA goals. The League continued to monitor agencies to ensure that the process is fully implemented and that it works. As we monitor agencies, we hope to learn: Are individuals asked about voter registration? Are voter registration applications readily available? Is assistance offered in completing voter registration applications?

Our position on voting rights is an important way of helping to achieve the purpose of the LWV to encourage citizens to participate in their government. The League will continue to take action to support the right of every eligible citizen to vote. Though many of the improvements called for in our positions have been implemented, we retain some positions to enable us to act should these rights be threatened, as the following two examples illustrate. In one case, many counties have central election authorities, but many legislators are not comfortable with this arrangement. In the second case, the League believes that a declaration of party affiliation is detrimental to the establishment of a strong two-party system in Texas. Year-round registration with no fee and no party declaration has been in effect for some time in Texas. However, there remain those who would like to see this undone, so we retain our position. In summary, much work for secure voting rights remains, though progress is being made.

2001. After disappointments in several past sessions, both houses of the legislature passed, and the governor signed into law, a bill that removed at least 3 of 10 exemptions from the Election Code that provides for four uniform election dates. "This is a bill whose time has come" was the focus of League testimony and work with a special statewide Uniform Election Dates Coalition. This reform has been long in coming. A major exemption, and one that created the most controversy, that of school bond elections, has been curtailed. Two of the dates have also been changed to the first Saturday in February and the second Saturday in September. A bill that would have consolidated polling places when several governmental entities conduct elections failed to pass.

2003. The legislature passed and the Governor signed a bill that implements the Help American Vote Act (HAVA). The LWVUS and the LWVTX have been actively involved in HAVA since its inception. Following federal guidelines, the state HAVA bill requires the state to expand the size of its voter registration application to include space for additional requirements and additional voter instructions. It also requires the state to create a statewide, computerized voter registration system that will be the official database for all voter registration purposes. It sets up an administrative complaint process; develops and implements a provisional voter program; places a Direct Recording Electronic (DRE) device in each polling place for disabled voters; creates additional instructional information for voters, including a voter's bill of rights; and launches a voter education program. The state HAVA legislation includes no state funds, but provides the legal basis for the state to appropriate funds that will be provided by the federal government. Much of the funding will be transferred to county governments to enable them to satisfy new federal mandates.

The most significant change in this legislation for Texas is going from the current system of challenge ballots to one of provisional ballots. This means that any ballot cast by voters who can't prove (by affidavit) that they are registered, would go to a board that would determine if the ballot should be counted. The bill contains detailed procedures for determining eligibility, how that ballots are handled, how they are counted, disposition, etc. Because of the additional time required for this review, the time period for holding runoff elections will be extended from 3 to 4 weeks.

The legislature also dealt with other election issues such as uniform election dates, tightening loopholes and developing methods for electronic filing and transfer of campaign data, posting and publicizing a list of voter's rights, and removing the postage paid from the voter registration card. Legislation giving all persons completing a felony sentence voter information at the completion of their sentence, when they in fact become eligible to register to vote, did not pass.

2005. Many election law changes were proposed in the 79^{th} Session. Five of the bills signed into law related to our positions. HB 57 reduced the number of election dates from four to two. Reducing the number of election dates is a long-held LWVTX position. The bill eliminated the

February and September elections and changed the May election to the second Saturday. The November election date remains the first Tuesday after the first Monday in November. The bill laid out the procedures for early voting in May and for making the transition to the May and November elections.

The issue of a recountable voting system did not have support. (For the position on electronic voting adopted by the LWVUS Convention 2006, see *Impact on Issues*.) The closest Texas came to addressing direct-recording electronic (DRE) voting machines was making tampering with DREs a 3rd degree felony.

HB 2465 dealt with public hearings on approval of electronic voting machines. The LWVTX strongly supported an amendment to this bill that would have strengthened the bill by requiring testing methods such as electronic hash code testing before and after the election, parallel testing of programming and equipment during the early voting and post-election periods, and verification counts from each redundant electronic source provided by the voting system. The amendment failed and Texas was left with weak protection from fraud in connection with DREs.

Two other bills that addressed ease of voting issues: HB 120 related to using regular polling places even if the regular polling place of the election precinct is not located wholly in the political subdivision holding the election; and HB 2454 would allow a registered voter who has resided in a new county for less than 90 days to vote a limited ballot.

There was a strong push for legislation to require a photo ID at the polls (the LWVTX was part of a coalition that worked against this bill, and it died in committee), and there will be a strong push in 2007 to adopt a photo ID bill. During the interim there will be a focus by the attorney general's office on potential voter fraud.

HAVA implementation proceeded on schedule. The LWVTX continued to meet with the secretary of state to keep up to date on HAVA progress in Texas while offering assistance that would be needed to implement the reforms.

2007. Five bills regarding the ballot and elections supported by the LWVTX passed and were signed by the governor. They are: SB 90 related to establishment of a pilot program to provide a ballot by electronic mail to military personnel serving overseas; HB 629 related to the consolidation of elections; HB 2823 related to voting by a person who applied for a ballot by mail; a voter can request a provisional ballot if they did not receive their ballot by mail; HB 3105 related to a program allowing for countywide voting locations for elections.

HB 770 requiring the Texas Department of Criminal Justice to give notice to certain persons for their right to vote, supported by the LWVTX, was passed by the legislature, but was vetoed by the governor. HB 218, the Voter ID bill opposed by LWVTX, was narrowly defeated when Senator Mario Gallegos, recovering from a liver transplant, was brought to the Capitol in a hospital bed to vote against the bill.

2009. After the 81st Legislature convened, the Senate changed the rules for passing a Voter ID bill (requiring a photo ID at the polls) from two thirds to three fifths. (The last time that the two-thirds rule was ignored was in 2003 when the Senate forced through the redistricting plan engineered by Tom DeLay.) This action signaled the start of the push to pass a Photo Voter ID Bill, SB 362, vigorously opposed by the LWVTX. The LWVTX sponsored two press conferences on this issue and participated in a third. At the last press conference we presented a two-page statement of Principles for Non-Partisan Voter Reform, a paper developed by the Election Reform Coalition of

which the LWVTX is a member. The paper asked others to join with the coalition as we move forward using these principles to increase voter turnout. The Voter ID bill ultimately failed to pass. Toward the end we watched legislative procedural moves aimed at stopping it, among these chubbing, or the putting intended obstacles in the way of voting for a bill. A special session was called and Voter ID was not included on that agenda.

SB 310, supported by LWVTX, allowing counties to have super precincts on Election Day, was added as an amendment to another bill and passed. It authorizes five counties to apply for a trial of super precincts. Issues that never made it out of committee included: rules regarding electronic voting machines, same-day registration, and procedures for voting. The governor vetoed one election bill supported by LWVTX that would have required the secretary of state to develop a system for accepting voter registration applications when the information provided by the voter does not match the identifying information for that individual in the records of the Department of Public Safety.

2009 was also the year that Texas finally ratified the 24th Amendment. Most states passed this 45 years ago. This was a symbolic stand against the poll tax.

2011. The LWVTX and the Election Reform Coalition were active in holding off voter photo ID legislation in previous sessions, but were not successful in 2011 when photo ID was included in the emergency items designated by Governor Perry. The LWVTX participated in a press conference and testified against the bill at both House and Senate hearings. Nonetheless, the bill was signed into law on May 27. The secretary of state was given responsibilities to educate election workers and voters on the new requirements beginning September 2011. Voters must show one of a limited set of photo IDs to vote a regular ballot after January 1, 2012. As of the publication of this document this law is still pending.

Note. Under the 1965 Voting Rights Act, Texas is among the states required to obtain preclearance from the U.S. Department of Justice (DOJ) or courts before putting election law changes into effect. Texas sought preclearance of election law changes from DOJ. The LWVTX submitted written comments to the DOJ raising questions about preclearance for voter photo ID and for the prohibition against performance-based decisions in voter registration efforts. The State of Texas has sued and the LWVTX has intervened against the state's position. This case is expected to go to the U.S. Supreme Court as a challenge of the Voting Rights Act. As of June, 2012 we don't know if Voter ID will go into effect for the November 2012 election.

The LWVTX testified against requiring documentary proof of citizenship to register to vote, and this bill was not considered by the full House. While Texans will still be able to register to vote without providing proof of citizenship, most voters will need to provide documentary proof of citizenship to obtain or renew the forms of photo ID required to cast a regular ballot as of 2012.

The LWVTX supported the bill to bring Texas into compliance with the federal requirements for military and overseas voters. The bill was passed and signed by Governor Perry. Email transmission of ballot materials to military/overseas voters is allowed, but not electronic return. To provide the time required for preparation and return of ballot materials, candidate filing and runoff dates for spring primaries were changed. Because some county election officials would be unable to meet requirements for a May primary runoff in addition to local elections on the May uniform election date, the law allowed for changing local elections to the November uniform date.

A number of bills on which the LWVTX took positions failed either to make it out of committee or to pass both chambers. Bills the LWVTX supported that did not pass include those on Election Day voter registration, voter suspense list procedures, allowing electronic voter registration for those with a valid Department of Public Safety driver's license or ID, and adding Texas to the National Popular Vote Compact. Bills which the LWVTX opposed that did not pass include those limiting the number of voters an individual could assist, allowing poll watchers to record images and sound, increasing penalties for untimely volunteer deputy registrars, and limiting volunteer deputy registrars to registered voters with 6 months of continuous state residence.

Two bills, HB 2194 and HB 2817, became more complex as they progressed through the legislature and, as passed, included both positive and negative provisions. They contain unnecessary restrictions on volunteer deputy registrars; also performance-based compensation and employment decisions are prohibited in voter registration

efforts. On the positive side, the secretary of state was given authority to increase the number of counties participating in trials of countywide polling locations.

2013. As the League's 2012-14 biennium began, the LWVTX was involved in litigation over preclearance of the photo ID requirement passed by the 2011 Legislature, SB 14 (Fraser), which LWVTX opposed. The LWVTX lobbied the U.S. Department of Justice (DOJ) to deny preclearance and intervened supporting DOJ's decision to deny preclearance when Texas sued for preclearance. The Washington, DC, court denied preclearance in late August 2012, so the requirement was not in effect for the November 2012 General Election. The State of Texas appeal of the denial was put on hold while the U.S. Supreme Court considered the Shelby County, Alabama, challenge to preclearance.

A number of positive bills on voter registration passed during the 2013 Regular Legislative Session and were signed by Governor Perry: SB 910 (Duncan) faxed voter registrations; HB 2465 (Farias) suspense status information online; and HB 3593 (Burnam) determining a voter is deceased.

Positive election bills that were passed and signed include: SB 160 (Huffman) poll watcher identification; SB 553 (Uresti) high school students as early voting clerks; and SB 578 (Duncan) countywide polling locations for primaries and runoffs. Several positive bills the LWVTX supported did not pass: HB 465 (Johnson) repeal of photo ID; SB 315 (Uresti) and HB 313 (Strama) online voter registration; HB 331 (Guillen) accepting voter registration from any eligible Texan; HB 2728 (Gutierrez) volunteer deputy voter registrar online training; HB 3081 (Wu) voting in a precinct of former residence; HB 1958 (S. Turner) curbside voting; and HB 2306 (S. Thompson) permanent mail ballots for some voters.

Significant bills the LWVTX opposed that did not pass include: HB 2093 (Harless) limiting early voting; HB 3049 (Springer) eliminating the May uniform election date; HB 966 (Murphy) voter registration residence address; and HB 3074 (R. Miller) proof of citizenship to register. HB 148 (Burkett) limiting assistance with mail ballots has become law but in its final form only limits payment for ballots mailed and does not otherwise limit assistance with mail ballots. Election law bills were filed in special sessions, but none were heard in committee.

In late June 2013, after the regular session, the U.S. Supreme Court announced the Shelby County decision striking down the Voting Rights Act (VRA) criteria for determining jurisdictions subject to preclearance. Texas immediately implemented the photo ID requirement passed in 2011. U.S. Representative Marc Veasey and others quickly filed a VRA Section 2 challenge to photo ID in the Corpus Christi federal court. Others, including the DOJ, have filed challenges raising constitutional and other legal issues in Corpus Christi and asked that Texas be bailed-in to preclearance under Section 3 of the VRA. Trial is scheduled for early September 2014 with the possibility of a decision prior to the November 2014 general election. In the meantime, the photo ID requirement remains in effect.

2015. As the League's 2015-16 biennium began, the photo identification requirement lawsuit remained under consideration. The Corpus Christi federal court ruled in favor of U.S.

Representative Veasey, yet there was no stay of the voter ID law during the State's appeal to the Fifth Circuit Court. A Fifth Circuit Court three-judge panel met during the 84th Session on the case with no final outcome. Arguments included judicial questions asking why the Texas Legislature has not broadened the types of accepted photo IDs.

During the 84th Session of the Texas Legislature, eight bills were introduced to add acceptable IDs to the list acceptable for voting that died in committees without any hearing. Other IDs proposed included the addition of student photo IDs from public and private higher education institutions, Texas and federal government–issued photo IDs, expired Texas driver licenses, Veteran's Administration health photo IDs, and any form of photo ID. The House Elections Committee allowed a hearing on only one bill that would allow tribal photo IDs, but it also died in committee without a vote.

Only one voter ID related bill, SB 982 (Bettencourt), passed into law. It provides a cost-free birth certificate for anyone in need of that document when applying for a Department of Public Safety photo ID. The only other voting/elections bill supported by LWVTX that passed during the 84th Session and was signed by Governor Abbott,

made a variety of minor improvements all related to voting by mail. HB 1927 (Bonnen, Greg) requires vote by mail (VBM) be made available for all elections, regardless of the election's administration (special districts, ISDs, etc.) and includes runoff elections; allows VBM applications to be submitted any time in the preceding year prior to an election; and allows VBM applications to be emailed.

The LWVTX supported a number of other positive bills that did not pass: providing online voter registration, HB 76 (Israel), HB 953 (Alvarado), both garnering one late session public hearing but no action; HB312 (Harless), HB 444 (Johnson), HB 446 (Johnson), and SB 385 (Uresti); broadening acceptable photo IDs, HB 535 (Nevárez), HB 295 (Canales), HB 447 (Johnson), SB 170 (Uresti), SB 230 (Watson), HB 534 (Nevárez), HB 536 (Nevárez), HB 733 (Israel), and HB 1117 (Martinez, "Mando"); improving the vote by mail process, HB 1198 (Israel), HB 1540 (S Thompson), HB 913 (Israel), HB 954 (Alvarado), and SB 86 (Ellis).

The most significant bill the LWVTX opposed that did not pass was HB 1096 (Murphy) and its companion SB 984 (Bettencourt), calling for identical residential addresses on photo IDs and voter registration cards. HB 1096 was left languishing on the full Senate bill intent list on the final day it could be considered.

2017. The brief story of the 2017 Texas Legislative Session for voting rights and elections: Nothing really bad was passed and a few minor process improvements were made.

The chants of "voter fraud" continued to be recited even though all League members know that there is no "rampant voter fraud or impersonation" in our state or any other. Governor Abbott and Lt. Governor Patrick, the two chief cheerleaders rallying the voter fraud cry let it be known that no online voter registration bills would be considered this session. Although, mail-in balloting, the one area where some irregularities have been documented, was addressed in a somewhat even-handed manner during the regular session, but was overturned in the special session. There was only one very small victory: Volunteer Deputy Registrars (VDRs) will now be able to deliver voter registration applications to county offices the day after the deadline to be registered before elections.

We followed 280 bills related to voting and elections during the 85th Session. The House and Senate committees offered public hearings on precious few of those. Thankfully only a few made it to the finish line and were passed by both houses.

Online voter registration. As mentioned above, none of the bills to establish online voter registration even received lip service this session. When it became common knowledge that the governor and lt. governor would quash any online voter registration action, the early session hope of passing HB 143 by House Elections Vice Chair Celia Israel ended. Israel authored HB 76 in the 2015 Session and received 75 House coauthors and an abbreviated hearing in the House Elections Committee, but no vote. Neither HB 143, nor any other voter registration modernization bills received any action but referral to committee. Others included:

- HB 70 by Representatives Minjarez/Gullen, automatic registration
- HB 80 by Representative Alvarado, online voter registration
- HB 159 by Representative Dutton, optional county online voter registration
- HB 469 by Representative Eric Johnson, same day registration
- HB 955 by Representative J. Rodriguez, same day registration
- HB 1955 by Representative Reynolds, secretary of state online voter registration

Other positive voter registration bills were introduced and did not see any action. Among those:

- HB 910 by Representative Romero, allow volunteer deputy registrars to register voters in all counties
- HB 953 by Representative J. Rodriguez, requiring counties to contact registrants via email about application problems before rejecting the applications
- HB 1002 by Representative Israel, requiring the Department of Public Safety to provide receipts for voter registration

Voter ID. Legislators filed numerous bills to expand the types of photo voter identification. Only HB 1173 by Representative Nevarez, to add tribal ID cards, received a public hearing, and then was left to die in committee.

The most talked about bill approved this session was SB 5, the lt. governor's high priority voter ID bill. It passed early in the session; soon afterwards there was a hearing on the companion bill, HB

2481 by Representative King in the House Elections Committee. It then languished in the House Calendars Committee. On Sunday night, May 21st, Governor Abbott named is an "emergency matter for immediate consideration," and it was set for House floor action the following Tuesday. On June 1st Governor Abbott signed it, and it is set to become law January 1, 2018.

The bill generally codifies the changes in voter ID requirements set in the July 2016 U.S. District Court order, with a few exceptions. The main SB 5 addition is making it a state jail penalty to make a false statement on the substitute impediment form used when voting without one of the seven photo IDs. That was just one of several differences between SB 5, as introduced, and the Court order. On the House floor members added multiple amendments making the bill more reasonable. Some of those changes (retaining the 4-year expiration date for IDs and address matching issues) remained in the final adopted bill.

However the Court is set to revisit the Issues in June 2017, following the legislative session. Because the Court ruled SB 14, the voter ID law passed in 2011, as intentionally discriminatory, it is still to be determined how SB5's passage will be received. Placing Texas back under U.S Department of Justice preclearance for any election-related actions is a possibility, although U.S. Attorney General Sessions' Department of Justice idea of preclearance will likely be different than his predecessors.

2017 LWVTX actions. While our advocacy on online voter registration languished, we took positions and actions on the following bills.

Bills we supported. A few bills we registered our support for were passed by both Houses, although none of the bills we presented testimony to support made it to the finish line. Also note below, some bills we supported in one house were significantly amended in the other house.

Bills passed and sent to the governor.

- HB 658 by Representative Bernal, originally introduced to provide priority treatment for voters with
 certain disabilities, and our support was based on that. It became a "Christmas tree" bill in the Senate with a
 more than six-page comprehensive amendment by Senate State Affairs Chair Huffman adding special voting
 available to residents in residential care facilities (senior living/nursing homes). It is meant to address voting
 irregularities in elder care residential or nursing homes. It was hailed as a major improvement by Governor
 Abbott, yet the provisions for residential care facility ballot by mail were repealed in the special session (see
 below).
- HB 961 by Representative J. Rodriguez, allows the option of plurality voting for junior/community college trustees (other than Blinn College). Governor Abbott vetoed the bill.
- HB 999 by Representative Israel, unless otherwise required by statue, requires water district officer/board elections on the May uniform election date. Signed by Governor Abbot, effective September 1, 2017.
- HB 2324 by Representative Israel, allows individuals or volunteer deputy registrars to turn in voter registration applications to county offices the day after the deadline 30 days prior to elections. Signed by Governor Abbot, effective September 1, 2017.
- HB 4034 by Representative Bohac, originally introduced to require counties to send list of registrants who
 indicate an interest in working elections to the two county chairs of each county executive committees. Our
 support was based on that original bill. Amended in the Senate by State Affairs Chair Huffman to give
 secretary of state authority to eliminate duplicate voter registration records as part of the statewide
 registrations rolls, though indicating weak or strong matches and only acting on strong matches; allow
 secretary of state to withhold funds to counties not complying with deleting dead voters from the rolls.
 Signed by Governor Abbot, effective June 12, 2017.

Note. HB 2837 by Representative Dean also passed and contains exactly the same language on dead voters as HB 4034. We testified against HB 2837 because registrars report often not being in receipt of deaths from the various suppliers of that information. Signed by Governor Abbott, effective September 1, 2017.

Bills we supported with testimony that died.

- HB 187 by Representative Dutton and HB 260 by Representative E. Johnson, on Department of Criminal Justice providing those "off paper" with voter registration forms and information
- HB 450 by Representative Fallon, to allow mobile devices in the voting booth
- HB 1887 by Representative and SB 148 by Senator Garcia, concerning eligibility of interpreters in an election
- HB 3328 by Representative E. Rodriguez, requiring secretary of state to make public the expenditures for voter identification education

Bills we opposed. While none of the bills passed that we opposed, two bills passed that we would have like to see fail. One we testified against, HB 2837 by Representative Dean (mentioned above) passed on its own and as part of HB 4034. The other is SB 5 by Senator Huffman that is discussed above and was signed by Governor Abbott.

Bills we opposed that did not move forward.

- HB 384 by Representative Murphy, to require photos on voter registration certificates
- HB 1149 by Representative S. Davis, to allow for only electronic posting of voting locations rather than printing in a newspaper
- HB 1683 by Representative Fallon, to significantly reduce the number of early voting days
- HB 3422 by Representative Laubenberg, to authorize data sharing to permit Texas participation in interstate voter registration crosscheck program, with the stated intention of that being the State of Kansas free matching system, not the more reliable and multistate Electronic Registration Information Center system.
- HB 3474 by Representative Fallon, to require proof of U.S. citizenship at voter registration

Took no position: Bills that passed.

• HB 1735 by Representative Faircloth, began as a mostly partisan primary bill and became more so in the last days of the session. It deals with a miscellany of election officer rules, oaths, and penalties for voting in both primaries in the same election. It makes it easier for someone to discreetly select the party primary they wish to vote in. It provides for prosecution of "vote harvesting organizations" that consist of three or more who may or may not know each other, but are subverting the rules. Of note to LWV voters guide leaders: It spells out the contents of a candidate's application for office, including a reliable email address for reaching the candidate or campaign.

Additional action in special session.

- SB 5 by Senator Hancock, dealt with ballot by mail abuse; widens the definition of mail-in ballot fraud, boosts penalties for certain offenses, and strengthens rules for signature verification. Somewhat helpful, it also requires election judges to notify voters when ballots are rejected. It also limits who may assist mail-in voters. The LWVTX recognized that there is an issue to be addressed; however, it opposed the severity of increased penalties and
 - called for clearer mail-in ballots and carrier envelopes to prevent innocent mistakes. Signed by Governor Abbott, effective December 1, 2017.
- Representative Goldman, the House sponsor of SB 5, inserted a surprising amendment on the last day of its consideration. The amendment was meant to eliminate the new nursing home/residential facility mail-in ballot process passed in regular session in HB 658 by Representative Bernal (discussed above). The intention was to eliminate the new residential facility process before it began, but as finally passed, it was in effect for the November 2017 General Election and officially removed from law December 1, 2017. Removing the process was largely the result of county election officials across the state objecting to the new process that would have called for election judges to go to the nursing home/residential facilities to accept the mail-in ballots in person.

2019. In the 86th Legislative Session, LWVTX made dramatic strides in its advocacy on voting rights and election law issues. We contributed to the **defeat of SB 9**, the most suppressive voting rights/election administration bill since Voter ID was adopted. This defeat and the denial of David Whitley's confirmation as Secretary of State, were symbolic of a major change this session in our collaborative strength. Most amazing was our establishment of an ongoing organizational infrastructure, and the availability of the Texas Civil Rights Project's legal insights on the meaning and potential impacts of legislative proposals. The LWVTX Action Alerts (using One-Click Politics) played a

gigantic role in our successes. These alerts provided a quick/easy link for all League members for contacting their personal representatives at opportune times to affect legislative action. President Grace Chimene and VP Advocacy Janet Imhoff played a big role in assuring they were appropriate and timely.

We did not achieve our major goals of establishing online voter registration in Texas or requiring improved paper trail election equipment that would permit post-election audits. However, progress was made on the latter. The most negative efforts were defeated, and no major bills passed to decrease voter access. LWVTX testified in favor of 11 bills – 3 of those passed and were signed by the Governor. We testified in opposition to 3 bills – none of them passed! In addition to our testimony, we registered support for 24 bills – 10 passed and were sent to the Governor. All 10 made it off his desk and became law. LWVTX registered opposition to 13 bills and only 2 of them passed and were signed by the Governor.

In addition to procedural bills, we supported a budget rider that allows Texas to participate in the **Electronic Registration Information Center (ERIC)** process to improve the accuracy of our voter rolls and increase access to voter registration for all eligible citizens. ERIC is governed and managed by states who choose to join, and was formed in 2012 with assistance from The Pew Charitable Trusts. Participation requires expenditure of approximately \$1.5 million to begin the membership. This session, Elections Committee Chair Stephanie Klick successfully inserted that amount in the budget and the Governor exercised no line item budget vetoes.

The demise of SB 9 in the House was a high point for League members and many other organizations and individuals. It included many of the proposals seen in previous sessions (and will likely be seen again in the 87th) to restrict voter access and establish or increase penalties for unintended errors. Other positive actions include passage of bills to greatly improve the county and Secretary of State websites by requiring more voter information (HB 933). Another new law requires improvements to county cybersecurity protection of voter registration lists and other election-related documents, systems and technology (HB 1421). Female candidates for office may now choose to run using any surname acquired by law or marriage on ballots (HB 2075), and there will be personalized auto license plates available that promote voter registration (HB 1130).

The most negative new law requires any temporary voting location in the early voting period to be open for the entire early voting period. In other words, **eliminating temporary voting locations** that have been so useful in urban and rural settings alike (HB 1888).

D. Executive, Legislative, and Judicial

Executive

1968, 1969, 1970

The League of Women Voters of Texas supports measures to increase the effectiveness of the executive department of the state government including:

- The governor limited to two terms that may or may not be successive.
- Constitutional provision for the succession to the office of the governor should the governor become unable to perform the duties of the office.
- Cabinet-type executive department, with only the governor, lieutenant governor, and the attorney general elected.
- The governor having the power, with safeguards prescribed by law, to remove appointive officers of the executive department and citizen appointees to boards and commissions.
- Reorganization of state boards and commissions along functional lines by grouping them in areas of responsibility.

Explanation: Executive

In 1968 the LWVTX decided to evaluate the organization and functioning of the State of Texas executive department as a continuation of its studies of the constitution and the legislature. In the first year, the study concentrated on the office of the governor. In the second year, the League examined the total administrative organization, discussing

other officers in the executive branch. In 1970 the League focused on the various executive boards and commissions, concentrating on those concerned with natural resources.

History: Executive

1974. During the Texas Constitutional Convention, the League actively supported change in the executive article.

1979-81. In 1979 and again in 1981, the League successfully opposed passage of a constitutional amendment providing for legislative review of the process of rule making by executive agencies. We believe this amendment to be a violation of the separation of powers of the executive and legislative branches of government. In 1980 the LWVTX supported a constitutional amendment, approved by the voters, allowing governors to remove public officials they appoint.

1985. Over League opposition, a vague and deceptive amendment that also violated the principle of separation of powers was passed by the voters. The amendment requires that an undesignated group, to be named by the legislature, approve expenditure of appropriated funds.

1991. Major reorganizations of state agencies were carried out during the 72^{nd} Texas Legislature as a result of recommendations made by the Performance Review Panel. Legislation implementing these recommendations provided for appointment of agency heads by the governor rather than by the legislature. The LWVTX supported these measures in keeping with its position in support of a cabinet-style executive branch. As a result of these changes, the governor how has significantly more accountability for the actions of agency heads.

Legislative

1967, 1968, 1969

The League of Women Voters of Texas supports measures to increase the efficiency and responsiveness of the legislature including:

- Annual sessions of sufficient length and scope to permit efficient handling of legislative business.
- Adequate compensation for legislators and elimination of salary amounts from the constitution.
- Increased power of the legislators in relation to the power of their presiding officers to include (a) greater voice in determining committee membership, and (b) bills referred to committees of appropriate jurisdiction.

Explanation: Legislative

League members decided in 1966 to evaluate the organization and functioning of the Texas Legislature and over the next 3 years reached consensus on a number of areas. Through the years, some goals were achieved, and positions have therefore been dropped. For example, conference committees are now limited to reconciling differences between Senate and House bills and are not permitted to add new provisions. Thus the position advocating this practice was dropped at Convention 1985.

History: Legislative

1969. During the legislative session, the League worked for a code of ethics, annual sessions, and realistic pay for legislators.

1974. During the Constitutional Convention the League was active in support of revision of the legislative article. Bills pertaining to legislative salaries and/or annual sessions have been introduced in a number of sessions; none have passed.

Judicial

1960, 1965, 1983, 2001, 2003, 2006, 2009

The League of Women Voters of Texas supports an effective, independent, qualified, and inclusive judiciary for Texas, which includes:

- A uniform fiscal policy as part of a single system of centrally administered statewide courts.
- A single system of centrally administered statewide courts with a uniform fiscal policy.
- Assignment of judges according to special training and docket needs.

The League supports the selection of judges in the following manner:

- Nomination is by a diverse, representative, nonpartisan commission, with appointment for a specific term or appointment by the governor for a specific term.
- Judges are subject to retention or rejection in an unlimited number of periodic nonpartisan elections.
- This should apply to Texas Supreme Court, the Court of Criminal Appeals, and Courts of Appeals.
- Selection of state district court judges may be by nonpartisan election or by appointment/retention.
- Judicial campaigns should be funded with public money.

Explanation: Judicial

In 1958, the League adopted nine principles for a good constitution, one of which was "Provisions for justice with a minimum of delay," and in 1959 undertook the initial study of the judicial article as part of its work for general constitutional revision. Consensus was reached in the areas of court structure, court administration, and court financing.

In early 1965, the position on the selection and tenure of appellate judges was adopted. Members again looked at selection of judges in 1982 and, by February 1983, included district judges in the position on judicial selection. The position was amended by Convention in 2001 following review.

Following delegate debate at Convention 1999, the Program Review Committee was assigned review of the judicial position, especially regarding judicial selection, and the following recommendations were adopted at Convention 2001. Since centrally administered statewide courts have been in effect since 1985, the wording in the first bullet was reversed to reflect emphasis on the need for a uniform fiscal policy. (There is still disparity of funding levels among various appellate and district courts.) The PPR committee had suggested dropping the position regarding assignment of judges according to special training and docket needs, but during the program planning process, local Leagues recommended retaining the position since it is used for advocacy at the local level for specially trained judges, such as in family courts.

Delegates at the 2001 Convention, at the PPR committee's recommendation, also voted to drop the position regarding effective removal procedures for judges. The state constitution provides for removal procedures through a State Commission on Judicial Conduct. This provision was added to the constitution in 1965, after the League's initial study/consensus in 1959-60. Thus this bullet has been achieved. Although it is conceivable that the removal process could be thwarted by a legislative effort to cut off funds to the Commission, the LWVTX does not need to retain the position in order to address such a situation. The overarching statement of the judicial position and/or the League principle that "efficient government requires competent personnel" could be used to advocate effective judicial removal procedures.

Judicial selection. The 2001 convention approved a restudy of judicial selection. A committee restudied the issue producing a *Facts and Issues* entitled *Judicial Selection in Texas*: *Nothing's Perfect*. Limited consensus was reached in the fall of 2002 and approved by the LWVTX board in January 2003. That consensus continued to support the appointment of Texas Supreme Court and Courts of Appeals judges. But for local judges, Leagues only agreed that if judges are to be selected by an election, it should be nonpartisan. s

At Statewide Conference in March 2009, a bullet was added to clarify our position on district judges in order to lobby more effectively and to provide flexibility to work with legislators to reform the way judicial offices are selected in Texas. At Convention 2010, delegates voted to add the provision that judicial elections should be funded with public money, although this is covered in our position on Political Campaign Process.

History: Judicial Selection

1985. The legislature passed a constitutional amendment that addressed the League position of centrally administered statewide courts. The League supported this amendment, and voters adopted it.

1989-95. Merit selection (or election, as some call it) has been an active issue for the LWVTX during this period. Reform efforts have been spurred and complicated by federal lawsuits

challenging the at-large election of district and appellate judges as a violation of the Voting Rights Act because the system dilutes minority votes. The most recent development in this lengthy litigation is Texas' appeal from a U.S. Justice Department finding that countywide partisan election of judges in the major urban areas infringes minority lawyers' right to win seats on the bench under the Voting Rights Act. Using the LWVUS position supporting the Voting Rights Act, the LWVTX has supported single-member judicial districts as part of a merit system plan.

In the 1995 Legislative Session, the League lobbied in support of Senate-passed measures that called for appellate judges to be appointed by the governor with approval by the Senate and subject to retention/rejection elections on a nonpartisan ballot; and for district judges to first run on a nonpartisan ballot and then face retention/rejection elections for the next two terms. The House, however, failed to pass the Senate's reform initiative, instead reporting out of committee a version that included partisan elections. This version did not reach the House floor.

During the 1995-97 interim, the League was represented on the newly created Commission on Judicial Efficiency. The Commission, appointed and chaired by Texas Supreme Court Justice Tom Phillips, was charged by the legislature with studying various issues related to the state judiciary, including judicial selection. The commission made several recommendations, but their most significant success was their recommendation for the creation of a Judicial Committee on Information Technology, which passed the legislature with funding. The 15-member committee, made up of judges, court personnel, legislators, attorneys, and citizens will gather information for a statewide network and justice information system.

1997. The House passed a bill changing appellate judicial selection to nonpartisan elections, an attempt to move the procedure at least one step away from the current partisan election system.

The Senate companion bill differed, proposing an appoint/elect/retain system for appellate judges. This bill failed and time did not permit the Senate to take up the House bill.

2001. Legislation was introduced, supported by the League, which offered a viable, nonpartisan approach that would have reformed the electoral process for the selection of the chief justice and justices of the Texas Supreme Court, and the judges of the Court of Criminal Appeals. The bills would have required nonpartisan judicial elections of the highest courts in the state. Candidates would have sought certification from the secretary of state to be put on the ballot and would have been required to submit a petition signed by 1,000 registered voters in connection with a request for public financing. Testimony given during the hearings on the legislation raised many issues of concern that surround judicial elections: the necessity for judges to become involved in party politics, to raise large sums of money in order to run, and the perceived influence on the system as a result. Many supported the certification process as opening the doors for increased minority participation, but testified that a selection commission could act as a barrier.

The League restudied this issue in 2001-03.

2003. Following the adoption of the new judicial selection consensus, the LWVTX supported a number of bills during the 78th Session. None of these bills passed, and the lack of legislative support for these bills during the session was a real disappointment. Some bills and joint resolutions (possible constitutional amendments) focused on all of the judiciary, others only on appellate judges. Both appointments, followed by nonpartisan retention elections at the end of their terms, and nonpartisan elections were considered along with terms of office and for public financing of such elections.

In line with the League's new position, there is a great deal of support in Texas for the nonpartisan selection of appellate judges, but less for the selection or appointment of district judges. Opposition to the appointment of district judges was one factor leading to the defeat of introduced bills.

2005. Companion bills were introduced in the 79th Regular Legislative Session that would provide for the appointment and a nonpartisan election for the retention or rejection of justices and judges. The bill included all

appellate courts and all types of district court judges, with appointments made by the governor as currently provided for in the Texas Constitution. No hearing was held for the Senate bill, but the House bill was heard in the House Judiciary Committee. The League presented written testimony to explain the League position that supports nonpartisan election of appellate court judges nominated by a nonpartisan diverse commission. The bill was left pending in committee. The House leadership was not supportive of the issue.

We supported and testified for Senator Duncan's bill that would increase salaries for state and county judges who had not had a salary increase since 1998. This issue had widespread support. However, after passing out of the conference committee, the bill was scuttled in the House over a dispute with an amendment that included increases for indigent defense. Although this item was not on the agenda, Senator Duncan introduced a similar bill in the special session without the indigent defense provision. The League presented written and oral testimony at the Senate State Affairs Committee in favor of the bill. The committee voted in favor of the bill. It was hoped that the issue would be included in the special session.

2007. As in the 79th Legislative Session, Senator Duncan filed SB 806 with its companion SJR 32 for a constitutional amendment. The enabling bill would provide for a nonpartisan merit selection system of appointment of judges followed by a retention or rejection election of judges after a specified period of time of service. Identical bills were filed in the House. None of the bills were heard by their respective committees. However, both bills contained a position the League cannot support at this time, the inclusion of state district courts judges. The bills would provide for initial appointments that would be made by the governor as provided in the Texas Constitution during the interim in 2008. The League spoke with the general counsel for Senator Duncan to ask for a filing of a bill in 2009 Legislative Session with modifications that can meet the League position. In April 2007 the LWVTX, through the assistance of KLRN, produced and televised a program, "Conversation on Judicial Independence."

2009. In the 81st Legislative Session, Senator Duncan, supported by the League, filed an enabling bill and constitutional amendment that would provide for a nonpartisan appointment/retention system to select appellate judges. This was slightly different from previous sessions. Not included were state district judges. However, the bills were withdrawn. Subsequently, the Senator filed SB 2226 and SJR 44 to provide for partisan judicial elections in the primary followed by a nonpartisan appointment/retention election. The League remained neutral as our position for judicial selection clearly states it be nonpartisan. The bills were not placed on the Senate calendar. In the House, HB 3995 provided for a nonpartisan appointment/retention system. The League presented oral and written testimony. Although the bill was voted out of the House Civil and Jurisprudence Committee, it did not pass out of the Consent Calendars Committee.

Early in the session Chief Justice Wallace Jefferson of the Texas Supreme Court made a strong case for the adoption of an appointment/retention system for judicial selection during his State of the Judiciary speech to the Legislature. Early in the same day, the League participated in a press conference with several other organizations in anticipation of the Chief Justice's speech.

A group to which the League is a collaborator, Clean Elections Texas, supported a bill that would provide for public financing for judicial candidates. Although the League supports public financing of campaigns this measure was not nonpartisan as required by our judicial position. As a result, the League did not support it.

2011. In the 82nd Legislative Session, Senator Duncan filed SB 1718, which proposed filling vacancies in appellate judicial offices by appointment, partisan elections for all judicial offices, and nonpartisan elections for retention or rejection of all judicial offices. The League remained neutral as our position for judicial selection clearly states elections be nonpartisan. There was a hearing on this bill in the State Affairs Committee, testimony was taken, but the bill was left pending in committee.

In February, Chief Justice Wallace Jefferson of the Texas Supreme Court urged the Legislature to "send the people a constitutional amendment that would allow judges to be selected on their merit." He also urged "common-sense solutions to the problems that plague partisan election of judges."

2019: After nearly a decade of inaction and disinterest, the Legislature woke up to the need to at least examine our state's system of selecting judges. The result was the passage of one of three bills supported by LWVTX, calling for an interim study of methods of choosing judges. Though not the strongest of the three proposed bills, the new law presents an opportunity to move forward, away from partisan judicial elections toward a fairer system for selecting qualified, impartial judges. The measure calls for appointment of an Interim Commission on Judicial Selection that is tasked with considering the fairness, effectiveness and desirability of electing Texas' judges through partisan elections.

The Commission's study must also consider judicial selection methods proposed or adopted by other states, as well as the merits of using a public member board to nominate or assess the qualifications of candidates for judicial offices, among other specified methods of selecting judges. The Commission must submit a report to the Governor and Legislature by December 31, 2020 that includes specific recommendations for statutory and constitutional changes.

The statute specifies that the Commission include: four members appointed by the governor; four senators appointed by the lieutenant governor (including one senator who is a member of the political party with which the lt. gov. is affiliated and one senator who is a member of a political party other than the party with which the lt. gov. is affiliated); four members of the house of representatives appointed by the speaker of the house of representatives (including one representative who is a member of the political party with which the speaker is affiliated and one representative who is a member of a political party other than the party with which the speaker is affiliated); one member appointed by the chief justice of the Texas Supreme Court; one member appointed by the presiding judge of the Texas Court of Criminal Appeals; and one member appointed by the board of directors of the State Bar of Texas.

The makeup of the Commission will be critical to its deliberations and recommendations. LWVTX, as an affiliate of the Texas Fair Courts Network that supported the new law, suggested suitable and qualified candidates to those appointing Commission members. We were pleased that two members recommended by the Network were appointed: Former Texas Supreme Court Chief Justice Wallace Jefferson (by Chief Justice Hecht, current Chief Justice of the Texas Supreme Court) and former Texas Supreme Court Chief Justice Tom Phillips (by Texas Court of Criminal Appeals Presiding Judge Keller).

The Commission held its first meeting in January 2019 and has been holding monthly meetings, with a hiatus due to the pandemic in April and May. The Fair Courts Network has had a representative in attendance at each Commission meeting. At the Commission's meeting on June 5, 2020 (held via Zoom because of the pandemic), the Texas Fair Courts Network presented testimony, with LWVTX signing on to most of the points made. In addition, LWVTX presented its own testimony, highlighting our Judicial Selection position.

LWVTX applauds the bill creating the Interim Commission and is cautiously optimistic that we will be able to support at least some of its recommendations in accordance with the Judicial Selection position. As always, the "devil will be in the details."

2021. At the close of the prior session in 2019, the passage of HB 3040 calling for appointment of an Interim Commission on Judicial Selection presented an opportunity to move forward, away from partisan judicial elections toward a fairer system for selecting qualified, fair and impartial judges. The LWV and other proponents of a fairer system were cautiously optimistic that the Commission (which was tasked with presenting a report and recommendations by December 31, 2020) and the 2021 Legislature would bring about needed changes to the system.

Unfortunately, meaningful reform has not occurred in 2021. The Commission report indicated an even (7-7 with one abstention) split on adoption of an appointive judicial selection system followed by retention election (basically the LWV position) but rejected adoption of a nonpartisan judicial election system. No bills were filed that would have significantly changed the current system. However, two proposed constitutional amendments that favorably "tweak" the system, supported by the League and our coalition partner, Fair Courts Network, have passed the legislature and will be presented to Texas voters for their approval in November:

SJR 47 would increase the minimum qualifications for judicial offices by increasing the required amount of judicial experience as well as the period during which a person's license to practice law could not have been revoked, suspended or subject to a probated suspension. The report of the Interim Commission on Judicial Selection overwhelmingly recommended (by a vote of 12 yes,1 no, and 2 abstain) these changes to current law.

HJR 165 would allow the State Commission on Judicial Conduct (SCJC) to accept complaints or reports, conduct investigations, and take any other action authorized by the Texas Constitution with respect to a candidate for state judicial office in the same manner the commission may take those actions with respect to a person holding such office. HJR 165 would thus level the playing field between candidates for judicial office who are not current officeholders and incumbents by expanding the authority of the SCJC to receive complaints and conduct investigations. Currently, elected judicial officers are held to high standards specified in the Code of Judicial Conduct, whereas their non-judge opponents are not.

Sadly, the zeal of some legislators to restrict voting rights and access also threatened to adversely and unfairly affect judicial selection in Texas: SB 11 would have restructured the Texas Courts of Appeals by consolidating the number of appeals courts districts from 14 to 7, SB 1529 would have created a special appeals court of limited jurisdiction, giving the state undue preference in litigation brought against the state by citizens alleging injustices committed by the state or its agents - with the judges on this new court elected at-large statewide, HB 1875 would have created special Business Courts at the trial and appellate levels which would have jurisdiction in cases involving complex business law - with the judges on both courts being appointed by the governor.

Fortunately all of these bills, vigorously opposed by LWV and many members and supporters via Action Alerts, died during the regular session, but may be revived in a special session.

E. Financing State Government

1975, 2003

The League of Women Voters of Texas supports constitutional and statutory provisions for flexibility within a coordinated finance structure; equitable taxation system that assures adequate revenue; and increased accountability including the following:

- Removal of provisions relating to dedicated funds, ad valorem tax exemptions, dollar amounts of debt limitations, and other such specific wording from the constitution and making them statutory.
- Budget execution to be a joint responsibility of the executive and legislative branches of state government.
- Application of appropriate fiscal management and business practices to conduct state business.
- An equitable system of taxation that assures adequate revenue, is easily administered; and is consistent with economic, social, and environmental goals.
- Appraisal of taxable property at full market value; state supervision to ensure equitable and uniform appraisal and taxing procedures.

Explanation: Financing State Government

The League studied state financing as part of its multiyear study of Texas Constitutional Revision, adopting in 1973 a 2-year study, "Financing State Government." The League study first focused on constitutional provisions relating to state finances. League members found that the state's elaborate restrictions on taxing, spending, and borrowing, intended to ensure fiscal prudence, often had quite the opposite effect. Instead they created obstacles to sound fiscal planning, management, and organization, and failed to limit the financial practices they were intended to restrict. An example is the flat prohibition of state debt. Texas' outstanding debt not only exists but also has been on the rise, just as total state spending has risen in recent years. The prohibition has served at times to increase the debt load by forcing the state to resort to more expensive methods of borrowing, such as the issuance of revenue bonds, rather than lower interest rate general obligation bonds. The League agreed that the Constitution should permit the legislature and governor the freedom to develop fiscal policies for the state to meet current needs.

Next, the League study centered on the taxes imposed by the state government. The ability-to-pay approach for new or expanded taxes is preferred, although, in some cases, a tax levied according to the benefit theory would be acceptable as long as it was equitable and certain to be collected. A graduated personal or corporate income tax meets the League criteria for a new tax, but a general sales tax does not. An equitable system of taxation also requires that tax laws be rewritten and enforced so there is certainty of collection at a relatively low cost.

History: Financing State Government

Late 1970s-early 1980s. League members agreed that taxation to encourage desirable economic and social goals (such as preservation of agricultural lands and open space by preferential tax treatment; see Land Use position) is valid provided that there are sufficient safeguards to ensure that the goal sought actually is met by the preferential tax treatment, and that the cost of meeting the desired goal be accurately and truly known so responsible cost-benefit evaluations can be made.

The League worked for major changes in property tax administration to make this tax more equitable and more easily and uniformly enforced. League-supported legislation requiring the establishment of single appraisal districts, appraisal of property at full market value, state supervised reports of taxable values, and training for tax appraisers was enacted in 1979.

1980s. Progress toward LWVTX positions on tax reform has come largely as a result of continuing economic crisis in the 1980's and early 1990's. Declining state revenues have led successive legislatures to look for new sources of funds while some legislators sought to ban constitutionally the enactment of a state income tax. The League has urged restructuring of the state's revenue sources, while opposing a constitutional ban on the income tax. In 1987, the enactment of the largest tax increase in Texas history led to the creation of a Select Committee on Tax Equity charged with recommending changes to the state's financial system. The League supported many of the committee's recommendations, including efforts to broaden the tax base by use of expanded business taxes and exploring the eventual necessity for personal and corporate income taxes; however, reforms in the 1989 session were limited in scope and did not address the need for thorough reform.

1991. Reform of the state's finance structure was given priority by the LWVTX in 1991 because the projected \$5 billion gap between estimated revenues and needed expenditures indicated that funding would be a major issue. State leaders, in an unusual move, postponed action on funding and budget issues until the first special session in order to await the results of thorough reviews of both expenditures and revenue sources. A Performance Review Panel appointed by the state comptroller carried out an audit of state agencies and held public hearings on how to cut costs of state government, while the Governor's Task Force on Revenue heard from experts and the public on ways to improve the state's revenue position. The LWVTX monitored both proceedings and presented the League's positions to the Governor's Task Force on Revenue.

The solutions ultimately adopted in 1991 for the state's fiscal crisis represented, from the League's point of view, partial progress in some areas while pitfalls were avoided in other areas. There was no movement on a personal income tax, but efforts to pass a constitutional amendment prohibiting it failed, and the sales tax rate was not increased. The corporate franchise tax, while not expanded to include other forms of business organization, was revised to include a tax on earned surplus (similar to an income tax).

The special session also produced the state lottery proposition that was approved by voters. The LWVTX took no position on the lottery as such, but opposed constitutional dedication of lottery revenues and also warned against making any essential state service dependent upon a lottery because such services require revenue sources that are both stable and adequate. The version ultimately approved contained no dedication of revenues.

1993. State leaders, facing another fiscal crisis in 1993, took a no-new-taxes stance on the budget. The League, speaking out on the proposed appropriations bill, called for increased funding for public schools and health and human services and reiterated that the state's fiscal crisis can only be resolved by restructuring Texas' tax system. The 73rd Legislature was able to adopt a balanced budget by cutting the level of services, by mandating better fiscal

management, and by further shifting of tax burdens to the local level, particularly the burden of public school finance.

Implementation of suggestions set forth in the state comptroller's second performance review helped balance the budget, and some of the adopted recommendations are in accord with the LWVTX positions favoring increased accountability in the state's financial system. Of particular note was the adoption for the first time of a performance-based budget, a format advocated by the League since 1975.

The LWVTX was one of the few groups to testify against the proposed constitutional amendment adopted by voters in November 1993 that prohibits legislative enactment of a personal income tax without a majority vote of the people. This amendment also dedicates at least two thirds of income tax revenues to local school property tax relief and the remaining revenues to education. League opposition was based on our positions that call for a flexible state finance structure and for removal of provisions relating to dedicated funds.

1995. Once again, legislators avoided a tax increase. The 6.2% spending increase over the previous state budget is to be financed by growth in state revenue. Yet the need for changes in Texas' tax structure is apparent to the League and to the state's political leaders as well. Governor Bush has pledged an interim study, with special attention to reducing reliance on property taxes.

1997. A tax relief bill dominated the session, but the final version bore little resemblance to that introduced by the governor, which had placed a high priority on the issue of reliance on property taxes. Reluctant to tackle the complicated problem of public school finance, legislators produced a last minute compromise bill that used the state's \$1 billion surplus to fund property tax relief. A business tax provision in the original version held promise of broadening the tax base and developing a more equitable system of taxation, a longtime League goal. The League testified before both Senate and House committees, advocating the need for a state income tax in the long run, and a reform of the state sales tax and greater equity in taxes levied on businesses in the short term. Proponents of a state income tax were encouraged by the frequency with which the words "income tax" came up during this session.

The bill that was signed into law also dedicated lottery proceeds to fund education. The League opposes dedicated revenue funds of this type, which tend to make government less flexible and efficient. The League also has concerns about making a state service such as education dependent on a revenue source such as a state surplus, which is neither adequate nor reliable.

1999. Due to sizeable income from a tobacco suit settlement and a booming economy, debates regarding financing state government dealt with how and where to appropriate the income. League advocates were present and vocal during specific appropriations discussions. See sections regarding Health Care and Natural Resources.

2001. As in 1999, League advocates focused on the appropriations process. During this session, the LWVTX promoted funding for comprehensive health care services for women and children, increased childcare subsidies, Medicaid simplification (which became a large budget issue as the session progressed), implementation of the SB 1 regional water planning process, and public participation in environmental decision making. The League distributed a fact sheet to legislators with information on League budget priorities. State Government financing and the financing of public education will be two of the most important issues that will be examined during the interim.

2003. The LWVTX included both Financing State Government and Public School Finance in its periodic program review during the 2001-03 biennium. Minor editorial changes were made to our Financing State Government position but no substantive changes were made. Knowing that the state was facing large deficits and there was a likelihood of significant cuts in state spending, the LWVTX joined with other organizations concerned about adequate funding of state services in the Fair Taxation Coalition under the umbrella of ProTex, a grassroots organizing group. One of the results of the coalition's work is a Fair Taxation Workshop, which can be given to community groups. It received high marks when it was presented at Convention in April and in other venues. The League expects to be giving the workshop throughout the next year.

Although much of the focus of the legislature and the LWVTX was on public finance issues as the state was faced with a \$10 billion deficit for the biennium, lack of agreement or time left most bills relating to public finance neither passed nor considered by the end of the session. The League testified for several bills that would have increased state revenues, and against several which would have further hampered the ability of the legislature to increase state revenues through taxation. The League and a few other members of the Fair Taxation Coalition were frequently the only advocates for increased funding in order to assure adequate state services.

Almost all of the bills we followed, good and bad, did not pass. Only one bill, which affects local property taxes, passed. This law puts teeth into the requirement that businesses render their property for ad valorem tax purposes; it is estimated that it will increase local property taxes significantly.

Two constitutional amendments voted on in September 2004 will impact local property taxes. One freezes school taxes for disabled homeowners, and the other allows counties, cities, towns and junior college districts to freeze other property taxes for persons over 65 and for persons with disabilities.

Governor Perry signed a \$117 billion state budget on June 22. Keeping campaign promises by many legislators, the budget contained no new taxes, although it does include some increases in fees. Although higher in total than the appropriations for last biennium due to anticipated increased federal spending, general revenue spending was reduced by \$2.6 billion.

The new budget will result in decreased services and/or demands for increased funding of many services at the local level. Tuition increases are expected at some public universities and colleges since public institutions were given the power to set their own tuitions. While the eligibility levels for Children's Health Insurance Program, Medicaid, and Temporary Assistance for Needy Families (TANF) were maintained, procedural changes in these programs are expected to reduce or at least not significantly increase caseloads. In addition, for the Children's Health Insurance Program, a number of previously provided benefits, including dental and most mental health benefits, were eliminated. Services to the elderly and mentally ill were also eliminated or reduced in scope, and cuts were made in criminal justice programs including all state funding for the highly respected Criminal Justice Policy Council.

2005. Of the 59 bills related to public finance that the League followed, only one (HB 1, the General Appropriations Bill) actually passed, and this was the bill from which the governor line item vetoed all funds related to public education. Bills such as a statewide property tax and indexing of gasoline taxes didn't pass; a lot of bad bills, like greatly increased sales taxes, caps on tax rates and appraisals for example, also didn't pass. However, once the governor called a special session to consider school finance, it appeared that some of the same battles would be fought all over again.

The governor put caps on property tax rates, school funding, and education reform in the call for the special session. He also issued his proposed solution to the school-funding situation. Major provisions included making partnerships owned by corporations subject to the corporate franchise tax; increasing the sales tax by 0.007%; adding certain services to the sales tax base; and increasing the cigarette tax by \$1.00/pack. Presumably to offset the increase in the sales tax that would fall most heavily on the poor, the governor proposed to increase the homestead exemption by \$7,500 to \$22,500 in 2007. When added to vetoed funds from other bills, the governor said that there would be a \$1.9 billion net increase in school funding for the biennium, significantly lower than the \$3 billion the House was aiming for and the up-to \$7 billion cited as necessary by public school support groups. Property taxes would be reduced by 30 cents/\$100 valuation in 2006 and 35 cents/\$100 in 2007. None of these passed the special session.

HB 3 did not pass. It was revenue neutral, and its sole purpose was to replace the property tax with other taxes. HB 4 would reduce the increase in tax rates from 8% to 5% to trigger a rollback election if 10% of the voters petition for one.

2011. For the decades since the League started recording, Texas state leadership has struggled to finance the government of a growing population while refusing to raise revenue. The attempt to reconcile the two opposing goals has continued through feast and famine, which this year involved an estimated \$27 billion shortfall. That is, for

this biennium, the legislature was short one fourth of the money it needed to simply keep the same level and amount of services it provided in 2010.

The shortfall is the result of the protracted national recession that started in 2007, and of an institutional deficit created in 2006 when property taxes were reduced by one third, and an inadequate business margins tax established to balance the loss of funds. The permanent deficit leaves Texas government \$10 billion per biennium short in needed revenue. Instead of dealing with the problem, state leaders couched the fiscal crisis in terms of towing the financial line. Before the session both the governor and members of the legislature vowed there would be no new taxes. In addition, they decided not to tap the majority of the Rainy Day Fund, a renewable pot of money–estimated to be \$6 billion by the end of this biennium–that was created for just this type of fiscal emergency.

By the end of the special session, the only viable finance bill, SB 1/HB 1, had cut total spending by \$15 billion. To do that, the legislature cut some waste, employed a combination of fiscal tricks involving delayed payment, underestimated future obligations to Medicare and Medicaid, and raised some user fees. The final legislation was \$4.8 billion short of covering projected Medicaid costs and had stripped \$4 billion from public education. This amounts to about \$500 per pupil across the state.

The most ominous move during this session, however, was the breaking of an almost 60-year promise Texas lawmakers have kept, until now, to provide each student in the state an adequate basic education through the Foundation School Program. It remains for the 2013 legislative session to do the hard work of fiscal reform this session shirked.

2015. State budget bills: We submitted detailed remarks to both the House and Senate regarding our views on the proposed budgets—both that of the Senate and that of the House. All budget bills must originate in the House, and the Senate proposes a substitute HB 1.

Additionally, several bills were introduced which we responded to: We opposed HB 31, which decreased the state sales and use tax rate. We opposed this bill because our position states that we support "an equitable taxation system that assures adequate revenue." As we currently do not have the revenue to cover our essential needs for education, health care, transportation and infrastructure, it is illogical to cut taxes for the future. The bill died in the Finance committee. SB 1 reduced the ad valorem taxes by increasing the exemption of \$15,000 for a homestead to \$25,000. We presented testimony on this bill before the House Ways & Means Committee. It passed both Houses and was signed by the governor.

SB 9 limited the rate of growth of appropriations for future years. In our letter to the Budget Conference Committee, not only did we speak to issues which we support, but we also opposed any cap on future budgets, saying "But the most egregious budgetary action would be to put a cap on future budgets which would lower our ability to meet growing needs, much less address needs from past years. We strongly OPPOSE such an action." Fortunately no budget caps passed.

2017. The Conference Committee on the General Appropriations Bill (SB 1) was signed by Governor Abbott on May 31. We now have a budget of \$217 billion. The Senate proposal was \$171.7 billion and House proposal was \$218.1 billion. The difficulty is that it is not enough to adequately fund a number of programs, including public education and Medicaid. To reach even this number, however, \$1 billion was taken from the Rainy Day Fund and \$2 billion from the dedicated highway fund.

At this point the biggest loss is education, when the Senate would not accept HB 21 by Representative Huberty–due to the Senate adding school choice (vouchers) to the bill–which has now failed. Our children will feel the burden.

2019. According to the May 31 issue of the Texas Tribune, the final biennial budget for the state of Texas was \$250.7 billion, up 15.7% from two years ago. It includes increased spending for public education and property tax cuts.

Legislators did not use the Economic Stabilization Fund for the regular budget, but did make a \$6.1 billion withdrawal for the supplemental budget to pay for Hurricane Harvey recovery and infrastructure projects.

It includes \$6.5 billion for school funding and teacher pay, \$5 billion for property tax cuts, \$66.5 billion for Medicaid, \$4.4 billion for mental and behavioral health, \$342 million for early childhood intervention, \$256 million for judicial salaries, \$12.2 million for adult protective services pay raises.

The League issued an Action Alert on April 10 asking all Representatives to vote against HJR 3, a proposed constitutional amendment to increase the state sales tax from 6.25% to 7.25%. The tax would have hit low income Texans the hardest: low-income Texans pay 7.4% of their income to state sales taxes, while the wealthiest pay only 1.6%. Our current sales tax rate is 13th highest in the country, and adding another percent would have made Texas the highest (tied with California). The Alert generated 381 letters to legislators. The resolution passed the House Ways and Means Committee on May 1, but was never voted on by the full House.

F. Homeowners Association Reform

2012

The League of Women Voters of Texas supports changes in Texas law governing mandatory homeowner associations that would:

- Protect against unreasonable foreclosure on homesteads.
- Assure priority of payments so that assessment payments apply first to delinquent dues and then to non-assessment items, such as interest and penalties.
- Reform HOA elections to ensure secret ballots in homeowner elections and safeguards against fraud to assure uniform, honest, and accurate election results.
- Assure that homeowners have access to meetings and records of the homeowner associations.

Explanation: Homeowners Association Reform

This issue was first proposed as a not-recommended concurrence at Convention 2010 by LWV of the Houston Area. Delegates voted to defer the issue to Convention 2012 pending further consideration by a committee to study the Houston materials, consider bills pertaining to homeowner association reform filed in the 2011 legislature, and the need for statewide advocacy. The board recommended the concurrence in 2012.

History: Homeowners Association Reform

2013. The positions of LWVTX on homeowners associations limited which bills could be analyzed or supported.

HB 35 (Menéndez) was passed. It amended the property code to provide that when an owner owns a lot adjacent to the lot on which his residence is located, the adjacent lot can be sold separately only in its original condition as to be suitable for construction as originally platted. HB 2928 (Sheets) that the League opposed would have circumvented a homeowner's right to a judicial foreclosure as established in the 82nd Legislature. It died in committee.

The 82nd Legislature in 2011 passed HB 2761, which provided that any vote cast in an election or vote by a property owners' association must be in writing and signed by the member. Immediately thereafter provision was made that electronic votes cast constitute written and signed ballots. The League position argues there is weak protection from fraud with electronic balloting. In 2013 HB 818 (White) that the League opposed would have specifically eliminated the requirement that a ballot must be in writing, signed by the member or that identity of the property owner be confirmed, greatly raising risk of fraud. It did not pass out of the Calendars Committee.

G. Intestacy (Dying Without a Will)

1985, 1997

The League of Women Voters of Texas supports equitable intestacy laws including the following provisions:

• The surviving spouse should inherit all of the community property when the decedent had no children or when the surviving spouse is the parent of all the children of the decedent.

- The surviving spouse should not inherit all of the community property when the decedent is survived by minor children not of the surviving spouse.
- The surviving parent of a minor child should be required to obtain court permission to dispose of the child's property when it is valued at more than \$50,000.

Explanation & History: Intestacy

Delegates to the 1983 state Convention identified intestacy as needing study. It has not been a legislative priority in recent years. Intestacy was studied as part of the 1995-97 periodic program review. The position reflects current law but was retained and clarified to allow the League to advocate for equitable intestacy laws in the event of a backlash.

H. Public School Finance

1973, 1981, 1993, 2003

The League of Women Voters of Texas supports a school finance system that would provide taxpayer equity and an equitable distribution of funds to ensure that all Texas school children receive a high-quality education. Specific measures that we support include:

- A sufficient level of state support to Texas public schools to ensure that all Texas school children receive a high-quality education.
- A guaranteed tax base yield approach for part of the local enrichment, to mitigate spending disparities resulting from differences in wealth among school districts in Texas; however, the League believes some un-equalized local enrichment should be allowed within a substantially equalized system.
- Equalized state assistance to districts for essential capital outlays.
- Taxpayer equity in the form of state equalization aid to local districts allotted in direct proportion to local tax effort.
- State established minimum local expenditure levels with joint state-local financing (known as the foundation school approach) that includes:
- Adequate salaries to attract and retain qualified teachers and/or teaching personnel.
- Adequate funding of the basic allotment, which provides for operations and programs for special categories
 of students, specifically vocational education, compensatory education, special education, kindergarten, and
 gifted and talented.
- Maintenance of a weighted approach to distribution of state school finance money to individual student needs.

The League of Women Voters of Texas opposes:

- The voucher system as well as choice options that do not promote racial integration and/or equal access to quality education.
- Any state requirement that local districts use state school finance monies to provide local tax relief.

Explanation: Public School Finance

Our school finance positions are the products of two separate studies undertaken by the LWVTX and two subsequent program reviews. The first study was adopted in 1972, and the resulting consensus led to active League involvement in school finance legislation during regular and special sessions from 1973-79.

Because new issues were raised during these sessions and because League members wished to clarify some positions reached earlier, delegates to Convention 1979 adopted a restudy of the Texas school finance system. The restudy was completed in 1981. In 1992 the LWVTX Periodic Program Review Committee reviewed the public school finance positions and recommended extensive revision. Most of the recommendations involved updating terminology, but the review committee suggested substantive changes in the positions concerning equalization of facilities funding and caps on local enrichment. All of the recommendations were approved at Convention 1993. In 2003 the LWVTX Periodic Program Review Committee again recommended changes in the Position, most notably by adding a section on accountability of charter schools. The recommendations were approved at Convention 2003. In 2004 accountability of charter schools and the four related bullets were removed from the public school finance position. The LWVTX position covers charter schools since they are public schools.

History: Public School Finance

1979. The system of property tax administration, which had been contributing to inequities among school districts, was made more rational by passage of League-supported bills in 1979 requiring one appraisal district per county and by the establishment of the State Property Tax Board. The tax board is responsible for determining the market value of taxable property in each school district, an essential factor in calculating school finance formulas.

1983-84. Much attention was focused on school finance and teacher salaries during the 1983 Legislative Session. Because of a tight budget and the unwillingness of some legislators to raise taxes, no substantive changes were made. Following the session, the Select Committee on Public Education, chaired by Ross Perot, was appointed to investigate the financing of education in Texas with a view toward reform of the system in a special legislative session.

The Texas Legislature met in special session during the summer of 1984 to enact many of the recommendations of Select Committee on Public Education, including a complete overhaul of the foundation program. HB 72 changed the foundation program from one based on objects of expenditure (teacher salaries, transportation, operating expenses) to a weighted approach based on various educational programs (regular education, special, vocational, compensatory, and bilingual education). Three significant new programs were mandated: prekindergarten for disadvantaged 4-year-olds, summer bilingual education for 4- and 5-year-olds with limited English, and a class enrollment cap of 22 in Grades K-4. HB 72 expanded the foundation program level to absorb a greater share of local enrichment.

For 1985, \$900 million in state funds were added and the local share was raised by \$1.1 billion, thereby diverting local tax revenue from enrichment to the local share of the foundation program. While the legislature enacted the largest tax bill in the state's history, local school board trustees enacted the largest school property tax increase ever, raising property tax levies by \$519 million. Increased local tax levies substantially negated the equalization improvement that the legislature tried to achieve.

1985. School funding in the lean budget of the 1985 Legislative Session fared comparatively well in the face of gloomy revenue projections. Little significant education legislation passed as the state leadership remained firm in its resolve to avoid a major overhaul of the recent education reforms. The gifted and talented were added as a special population to the foundation program, and the jeopardized optional full-day, full-state-funded kindergarten was retained.

1987. During the 1987 Legislative Session, several attempts were made to cut the public school budget because of the revenue shortfall. The League testified in favor of an increase in the level of state aid to ensure that all Texas school children would receive quality education. By the time that the final 1988-89 budget was adopted, public education was not trimmed substantially.

We also testified against a bill that would have mandated the adjustment of public school funding formulas through the appropriations process since a League position speaks to the clear assignment of responsibility in state government, and we believed school funding formulas were the primary concern of the Texas Education Agency and the House Education Committee, not the House Appropriations Committee.

1989. In the spring of 1987, Judge Harley Clark declared Texas' school finance system unconstitutional. This decision was overturned by the Court of Appeals and was then appealed to the Texas Supreme Court.

In the meantime, during the 1989 Legislative Session, several attempts were made to add substantial amounts of money to the Foundation School Program in order to offset the Clark decision. However, because there was great reluctance to raise taxes again, only \$450 million in new state money was provided to the public schools although \$360 million was in the form of a guaranteed tax yield system.

Most observers agreed the legislative action was insufficient to rectify any inequities in funding between rich and poor districts. Indeed, in October 1989, the Texas Supreme Court, in Edgewood I, threw out the school finance system.

1990-91. In response to the Texas Supreme Court ruling that the school finance system was unconstitutional, the legislature passed SB 1, which was also declared unconstitutional by the high court in the Edgewood II decision in January 1991. The court set a deadline of April 1, 1991, for the legislature to adopt a constitutional system. Thus, the search for an equitable school funding system and the means to fund it dominated the regular session of the 72nd Legislature. The LWVTX adopted public school finance as a priority and consistently affirmed the need for adequate as well as equitable funding for the public schools.

The plan ultimately adopted created 188 new taxing districts known as County Education Districts. Funds raised within the County Education Districts were redistributed among school districts within the County Education Districts on the basis of property tax wealth and tax effort.

1992. In January the Texas Supreme Court in Edgewood III struck down the County Education District tax system as unconstitutional, holding that this system was in effect an unconstitutional state property tax, and furthermore that the County Education District tax was not a valid local tax since it had not been approved by the voters in each County Education District. The high court set a firm deadline of June 1, 1993, for the legislature to come up with an equitable system that did not violate other sections of the state constitution.

The League was active in the November 1992 special session that was called to find a solution to the school finance dilemma. A proposed plan to switch from the County Education District countywide system to statewide recapture of property taxes, redistributing certain property tax revenues from the wealthiest districts statewide, failed to win the necessary legislative approval to put it on the ballot as a proposed constitutional amendment.

1993. With the court-imposed June 1993 deadline looming, the League chose to dedicate significant resources to following and shaping the school finance bill as the 73rd Legislature convened in January. The League lobbyist stayed on top of the ever-evolving bill as the state struggled to find a formulation that the court would find constitutional, that the legislature would approve, and that met the state leadership promise to voters of no new taxes.

Voters rejected the constitutional amendment that the legislature, with League support, put on the May 1993 ballot. This proposition, known to some as a "Robin Hood" or "share-the-wealth" plan, would have required a limited redistribution of local property taxes from the wealthiest districts to the needlest districts statewide.

With the defeat of the May 1 proposition and with 1 month before the court-imposed deadline, the legislature passed a school finance plan that gave wealthy districts five choices for sharing property tax revenues with property-poor districts in the state.

In the summer following the 1993 Regular Session, many of the wealthy districts chose, with overwhelming voter approval, the option of transferring funds to the state for redistribution statewide in lieu of risking forced consolidation. At the same time, however, these districts were challenging the new school finance plan in court. The needier districts were also challenging the plan, contending they would have to raise taxes just to stay even financially.

While the League was actively supporting the equitable, limited redistribution of local school taxes to property-poor districts in the 73rd Legislature, the League called again for a restructuring of the state tax system. The League noted that the share of school funding continues to decrease while the burden on the local school property tax increases each session. What the League has long advocated to reverse the trend is adequate state revenue from a broad-based, statewide tax, such as the income tax.

1995. As the 74th Legislature convened, the Texas Supreme Court affirmed the constitutionality of the 1993 school finance plan. Thus, for the first time in several sessions, public school finance was not a priority issue for legislators

or the League. Although the League was not active in this area, the legislature enacted and the governor signed SB 1, a rewrite of all of the state's public education laws. Some highlights of the new law include:

- Individual districts are given the option of more local control if they adopt rule charters.
- Minimum teacher salaries were increased.
- Schools will now have "foundation" and "enrichment" curricula.
- In the area of school finance, the basic allotment per student was raised. \$170 million was appropriated for assistance for instructional facilities. Low-wealth districts with acceptable tax efforts may apply for state assistance for construction/improvement of instructional facilities.

Note. In affirming the 1993 school finance plan, the Texas Supreme Court emphasized the state's duty to provide all districts with substantially equal access to operations and facilities funding. The court stated that there was no requirement for a separate facilities component in the plan as long as districts are able to meet their operations and facilities needs from available funding. The court warned, however, that the point at which some districts will be unable to meet these needs under the plan is near.

1997. As noted in the Financing State Government section of the handbook, a tax relief bill dominated the session, but the legislature was unwilling to tackle real reform of the state's taxation system, particularly the thorny issue of public school finance. The tax bill finally passed by the legislature funded property tax relief for homeowners with the state's \$1 billion surplus. The League expressed concern about this type of funding, taking money away from important services such as public education. In addition, there may be no surplus in the next biennium to compensate for the reduced property tax, imposing an added burden on local school districts. The only significant change in public school finance to come out of this legislature was the dedication of lottery funds for education, a move that the League strongly opposes. Once again during this session, legislation that would have allocated funds for public education to private schools, via vouchers, was defeated. The League presented testimony and wrote to legislators expressing opposition to such measures.

1999. Once again, the issue of private school vouchers took center stage in the arena of public school finance. The LWVTX was a part of the Coalition for Public Schools. We used our grassroots network not only to contact legislators telling why using public funds for private education is bad public policy, but also to contact targeted legislators at crucial times during the session. No voucher-legislation is one of the successes of this session.

2001. The LWVTX again worked with the Coalition for Public Schools. This session the issue was charter schools, not vouchers. The Coalition supported an excellent charter schools bill based on an interim study that passed the House. A less desirable bill passed the Senate. However, the compromise bill addressed the issues identified during the interim. These issues include a cap of 215 on open-enrollment charter schools and elimination of the category "at-risk" charter schools; the designation of funds received by charter schools as public funds held in trust for children; increased powers for the commissioner of education over licensing of charter schools; a requirement of at least a high school diploma for all teachers in charter schools; and a requirement for notification of parents about the qualifications of all teachers.

A teachers' health insurance bill also passed. Because there were many advocates on this issue, the LWVTX monitored but was not heavily involved in its passage. Funds in the amount of \$1.24 million were earmarked for health benefits for teachers. Small districts (fewer than 500 workers) are required to join a statewide insurance pool that is also optional with districts up to 1,000 workers. Larger districts must wait until 2005 to join unless the state is ready sooner.

2003. Legislators vowed to revamp the way Texas public schools were funded, but the House and Senate couldn't agree on a plan. The House plan would have put a sunset date on Robin Hood and allowed lawmakers to come back during a special session to study the issue. The Senate plan, backed by Lt. Governor Dewhurst, would have cut property taxes while expanding sales taxes and would have repaired the system during the regular session. Neither plan passed during the regular session, but legislators did extend an additional \$1.2 billion to public education using per-student formulas to keep school districts alive until a new system is found. To complicate matters, during the session the courts ruled that the case from property rich schools calling for an end to Robin Hood could be heard. Governor Perry vowed to call a special session, but did not set a date.

House Speaker Craddick appointed a House Select Committee on School Finance, divided into eight subcommittees, which is charged with looking at school finance and the state tax system. While the focus will be primarily on school finance, there could be repercussions across the entire Texas public finance spectrum. A special session of the legislature is expected in late winter or spring, 2004.

In the area of vouchers, which were very much a part of the session, "organized people defeated organized money," according to the Coalition for Public Schools comprised of 38 organizations, including the LWVTX. For the first time, the governor, It. governor, speaker of the House, and the chairs of the Public Education Committees in both the House and Senate supported private school vouchers. In addition, prominent state and national individual and organizational proponents testified before legislative committees and/or took leadership roles in the voucher fight.

The voucher and virtual charter school battles started with straight-up bills discussed in public settings. But when those bills failed to pass, skirmishes continued until the final hours of the regular session in less visible negotiations in conference committees and via last-minute floor amendments to other bills. Lawmakers realized it would be fiscally irresponsible to take away funding from cash-strapped public schools to set up a new program to subsidize private and religious schools and home schools. The message from the Coalition for Public Schools members was that Texas taxpayers cannot afford private school vouchers, and that every available dollar must be used to ensure that every public school in every neighborhood is adequately funded so all Texas children can succeed.

2004. The governor called a special session on public financing in the spring. The LWVTX partnered with Common Cause, Public Citizen, the Grey Panthers, the Christian Life Commission, Texas Impact, and the Texas Education Crisis Coalition to write and release a joint statement on school finance reform addressed to the legislature and sent to the governor. Through work with other groups and League statements to the Joint Committee on Financing Education and to the Senate Finance Committee, the LWVTX supported the message that reform provided taxpayer equity and adequate funding to ensure that all Texas school children receive a high quality education and recognize that equity and quality are inseparable. (See the Spring 2004 *Texas VOTER*.) The session expired without completion of legislation or constitutional amendments.

2005. During the regular session, the legislature did not accomplish their #1 goal: to reform and improve the state's school finance system. By failing to pass a school finance reform bill, the legislature once again let politics shortchange the school children of Texas. Cuts were made during the last session, and the special session that followed failed to provide a solution. This session is the 3rd failure to provide meaningful support for the public schools. The leadership team of Governor Perry, Lt. Governor Dewhurst, and Speaker Craddick was unable to reach a compromise on the public school finance/education reform/property tax relief package that was the centerpiece of the 79th session of the legislature.

It appeared that the emphasis was more on lowering property taxes than on solving public school finance problems. In addition, state leaders were determined not to raise taxes overall, which limited the money available for schools and cost them support among education groups. During the late days of the session, Senate negotiators put emphasis on seeing that every school district in the state had nearly the same amount of money per student. They were also particularly critical of House efforts to raise the sales tax, saying they hurt low- and middle-income families.

The one success was that again, no voucher legislation was passed. There were several attempts to pass vouchers, both in specific bills about vouchers and as amendments to other bills. One session on the House floor was especially dramatic with close votes and parliamentary maneuvering.

Special Sessions #1 and #2. Governor Perry called a special session following the regular session. Public school finance was also back in the courts. The Texas Supreme Court will rule on a district court judge's decision that the state school finance system is unconstitutional in both equity and adequacy. During Special Session #1, the LWVTX issued two Action Alerts asking local Leagues to contact first their house members, then both their senators and representatives, urging them to oppose HB 3 (See Financing State Government). The LWVTX sent a letter to all members of the legislature asking them to vote against the bill when it came out of the conference committee. The

LWVTX believed that the bill did not fund the schools more adequately or equitably and believed that the property tax relief and sales tax increases were not equitable to those taxpayers with incomes of \$100,000 and below. Again the legislature had clearly not addressed the dual issues of funding public education and reforming the tax system to pay for that education.

2006. Public school finance and education reform was the agenda for the Senate Select Committee on Education Reform & Public School Finance that met biweekly in anticipation of a special session.

A special legislative session on public school finance was called early in the spring following the March primaries. The session had to address the subject of the Texas Supreme Court June 1 deadline on school finance that regarded as unconstitutional the current (statewide) property tax structure. State tax reform was the subject of the Governor's Advisory Committee on Tax Reform, chaired by John Sharp. The report and recommendations of the Committee formed the basis for a broad-based business tax reform (supported by the LWVTX) that was adopted by the special session and which served to answer the Texas Supreme Court decision. Schools were able to open on time. It remains to be seen if the business tax and the actions taken by the legislature (much of which concerned lowering the property tax) will form an adequate, dependable source of revenue for the public schools.

2009. The surviving public school finance bill, HB 3646, provides \$1.9 billion in new money, largely from federal stimulus dollars. It was allocated in SB 1, the state biennial budget bill. HB 3646 makes changes that improve the way schools are funded and provide teachers with a minimum \$800 pay raise. However, comprehensive reform of public school finance in Texas looms large. Schools face rising costs and a state funding freeze at 2006 levels. In addition, local revenues are capped at a rate that can be increased only through local elections. The need to change public school funding formulas remains a critical issue for the next session.

2011. Public school finance was a critical issue during this session, when legislators faced a \$27 billion shortfall. Impasses over funding for education and health prompted a special session, though other issues were added later. Once again, the legislature failed to address systemic problems with the state's school finance system that is both inequitable and inadequately funded.

SB 1, the fiscal matters bill that passed during the special session, underfunds schools by \$4 billion in the Foundation School Program and by \$1.5 billion in state grants for such programs as full-day prekindergarten, science labs, Student Success Initiative funding for extra help for students at risk of failing state high-stakes tests, educator bonuses, the Communities in Schools dropout prevention program, and advanced-placement incentives. This is the first budget bill in more than 60 years that does not fund new enrollment in Texas public schools, estimated at 80,000 to 90,000 more students each year.

After using \$3.2 billion of the state Rainy Day Fund to address the budget deficit, the legislature refused to spend any of the remaining \$6 billion in the fund for schools. Nor would the legislature tackle the root cause of the school budget crisis, the 2006 tax swap that replaced property tax support for public education with a tax on small and medium business, called the margins tax. It has never resulted in expected revenues.

SB 1 does begin to phase out the target revenue-funding model that was created in 2006 in connection with the margins tax. This model created inequities in how funding is distributed to local districts. While SB 1 repeals target revenue in 2017, it is unclear how it will be further reduced and what future legislatures might do. Another provision of SB 1 allows certain charter schools that qualify to access the Permanent School Fund to guarantee bonds for facilities, a privilege previously authorized only for school districts. Many believe the new provision will put the Permanent School Fund at risk, since charter schools do not have a tax base.

SB 2, passed in special session, appropriates money for the support of government from September 1, 2011, to August 31, 2013. It is a technical bill that avoids having deficits in both public education spending and Medicaid at the same time. It is related to HJR 109, a proposed constitutional amendment, which appeared on the November 2011 ballot as Proposition 6 and passed. It allows SB 2 to appropriate \$150 million each of the next two school years from the Available School Fund to public education. However, these additional funds will be offset by a matching

reduction in state general revenue funding. Thus, passage of this amendment will not result in any additional funding for public education.

SB 8, passed in special session, was designed to provide flexibility to school districts to deal with shrinking budgets and personnel cuts. The bill allows districts to cut teacher pay in several ways, repeals the salary floor established in 2009, and changes the 45-day deadline to notify contract staff of nonrenewal to 10 days before the end of the school year. These changes were vigorously opposed by organizations representing teachers, who have been rocked by job cuts and expectations to do more with less.

SB 6, passed in special session, creates a new Instructional Materials Allotment that merges funds for textbooks, electronic textbooks, and technology into one fund. The Instructional Materials Allotment creates a new funding formula that requires the State Board of Education to set an annual distribution from the Permanent School Fund to the Available School Fund to the

Instructional Materials Allotment. School districts will have greater flexibility over use of the dollars.

Successfully stopped were a number of proposals including: a provision in SB 8 that would have increased the 22-1 class-size cap in kindergarten through Grade 4; proposals that would have raised or eliminated the current 215 cap on the number of open-enrollment charter schools that may be granted by the State Board of Education; and several voucher schemes that would have drained tax dollars from public schools.

2013. After the dramatic cuts to education funding by the 82nd Legislature in 2011, the 83rd Legislature was under pressure to restore the money. The 2011 cuts had resulted in the elimination of 25,000 faculty and staff jobs, including 11,487 teaching positions. The \$5.4 billion cut amounted to a loss of more than \$500 per pupil. The 83rd Legislature responded with HB 10 (Pitts), a supplemental appropriations bill that funded various agencies through August 31, 2013, and included \$317 million from general revenue and \$313 in "recaptured" property tax revenue to the Foundation School Program. This bill passed both houses and went into effect March 10. It was supported by the LWVTX.

The final 2013-15 budget included \$3.4 billion in education funding, but that was only 85% of what was cut in 2011, and still left the per-pupil funding more than \$500 short of the level reached before the recession. It also did not restore the massive cuts to programs such as full-day prekindergarten and the Student Success Initiative, which offered help to students struggling to pass the state exams. Another supplemental budget bill, HB 1025 (Pitts), supported by the LWVTX, would have added \$500 million more for education. It passed both houses, was included in the budget, but was subject to a line-item veto by Governor Perry.

In early 2013, the lawsuit by coalitions of Texas school districts against the state resulted in a ruling that the public school finance system was inadequate and inefficient. However the judge agreed to have a new trial after the legislative session, to take into account changes made by the 83rd Legislature. The new trial is scheduled for January 2014.

The cap on charter schools was reset from 215 to 305 (by 2019) in SB 2 (Patrick), opposed by the LWVTX. It passed both houses and was signed by the governor. This bill exempts dropout recovery charters from the cap. On the positive side, the bill gives the Texas Education Agency more authority to close poor performing charter schools.

Vouchers reappeared in the 83rd Legislature as "scholarships" for poor and at-risk students, with the funding to come from "donations" of part of an entity's state insurance premium tax or franchise tax. We opposed at least five Senate bills and two House bills, and all failed to pass their respective houses. The bills were by Senators Patrick, Paxton, Williams, and Campbell. The House bills were by Representatives Capriglione and Callegari.

2015. This was not the year to consider revamping public school finance. The push in the legislature was to lower taxes, especially property taxes, which mainly fund public schools at the local level. The House wanted to lower the sales tax instead, but the conference committee on the budget decided on the property tax reduction, as well as franchise tax reduction. However the state promises to reimburse districts for lost revenue. The reduction is formed

by raising the exemption on the value of the property from \$15,000 to \$25,000. All this will require the passage of a constitutional amendment this fall.

The final budget did give \$1.5 billion to public schools above the \$2.3 billion needed for enrollment growth. This includes \$41 million for math and reading academies, and \$118 million for high-quality prekindergarten programs.

Meanwhile, for the second time in 2 years, State District Judge John Dietz ruled that the Texas school finance system is unconstitutional. His ruling states that Texas fails to provide its schools with sufficient funding and that it distributes its funds among districts unfairly. Even though the 83rd Legislature restored 65% of its 2011 cuts, it wasn't enough, and Texas now spends \$600 less per student than it did in 2009 (adjusted for inflation). The state appealed his ruling to the Texas Supreme Court, which will not decide it until next year. House Public Education Chair Jimmie Don Aycock offered a bill, supported by the LWVTX, that would have addressed the problems (HB 1759), but it was pulled after 2nd reading so that a long debate would not kill other bills at the midnight deadline.

A few bills addressed vouchers, this time called Education Tuition Grants, which would have allowed businesses to donate part of their taxes to "educational assistance organizations." They would then award the money to students to attend private schools. Only one of these passed the Senate (SB 4), opposed by the LWVTX, but died in the House Ways and Means Committee.

2017. The Senate and House had very different legislative priorities when it came to public education. The most critical difference was evident in the way the two bodies approached the need to revise our public school finance system. Two of the most obvious differences included the Senate's determination to use public funds for private and religious school vouchers, which the House steadfastly opposed, and the Senate's efforts to invest sweeping powers in the education commissioner, which the House was only partially successful in curbing.

An equitable, fully funded school finance system is essential. Chairman Huberty and the House Committee for Public Education used a collaborative approach, listened to many experts on public education finance and needs, and crafted HB 21 (Huberty) that was a much-needed first step to address persistent flaws in the current system. It would have raised the basic allotment by \$210 per student, provided additional assistance to certain groups of students, simplified and updated transportation funding and the high school allotment, reduced recapture, and created a hardship grant for certain districts. While this commendable effort passed the House, the Senate gutted the funding and tacked on an Education Savings Account voucher amendment before passing it. The House, led by Chairman Huberty, refused to accept the voucher amendment and called for a conference committee. Senators Patrick and Taylor refused to name Senate members to the conference committee and the bill died. It was revived, in part, during the special session, as described below.

Vouchers are unacceptable. Several other voucher bills were proposed. Given the LWVTX strong opposition to vouchers, we testified against two (three including the Senate version of HB 21), HB 1335 (Simmons) and SB 3 (L. Taylor) that had traction in committee. We registered against others. Fortunately, none made it through the House. We owe thanks to the strong stand that House Public Education Committee Chair Huberty, Vice Chair Bernal, and committee members took against vouchers with Speaker Straus's backing.

Accountability measures should be diagnostic and nonpunitive. Because we support a nonpunitive accountability system, we followed with concern several bills relating to the new A-F ratings schools and districts will be receiving. HB 22 (Huberty)—which in its original form would have delayed implementation of A-F, clarified the ratings methods, and mitigated some of the effects—passed the House, but did not pass the Senate intact. The bill, as ultimately passed by both houses, does delay implementation for schools (to 2019) but not for districts. It does clarify some elements, but it remains largely punitive and, under the Senate's changes, gives the commissioner of education broad authority to make rules and set implementation methods and standards. Those powers were augmented during the Special Session, as described below. Governor Abbott signed HB 22 that took effect September 1, 2017.

An example of other bills related to the A-F rating system is HB 2782 (T. M. Wilson), which would have prevented a bell curve approach to the ratings. It passed in the House and the Senate Committee on Education, but was not

heard by the Senate. As it stands, the A-F accountability system oversimplifies the complexity of teaching and learning and has limited usefulness to serious efforts to improve our public schools.

Students should be well prepared for graduation and success in college and careers. Our positions on academic standards led us to follow several bills relating to teacher and instructional quality. HB 3759 (Beidermann) would have temporarily allowed districts to ignore a long list of instructional mandates relating to nearly every academic subject. These exemptions had the potential to adversely affect students' performance on examinations required to graduate, and we testified against them. Fortunately, HB 3759 did not make it out of committee.

SB 1278 (L. Taylor) would have allowed field supervisors of teachers-in-training to reduce on-site observations and would allow those same aspiring teachers to be certified even after twice failing the required content examinations, leaving a generation of students with underprepared and unqualified teachers. As we noted, if students who do not pass the end-of-course examinations do not graduate, then their teachers should have passed *their* content exams to certify their competency to teach their subjects. We testified in opposition and, although SB 1278 passed the Senate, it failed in the House Public Education Committee.

HB 1485 (Swanson) would have allowed science teachers to instruct students on their personal beliefs regarding the origins of life, evolution, and climate change under the guise of academic freedom. We argued that teachers are charged with preparing students for graduation under the Texas Essential Knowledge and Skills (TEKS) and for academic and career success, which require them to know and use the scientific method and understand evidence-based science. HB 1485 was left pending in committee.

SB 463 (Seliger) would extend Individual Graduation Committees (ICGs) through the 2018-19 school year. These committees meet when high school students are in danger of not graduating solely because they have not been able to pass one of the end-of-course exams. We urged support for this bill that would require that the students' teachers, administrators, and parents agree that the student should be allowed to graduate. We had hoped the bill would make Individual Graduation Committees permanent; however, we'll take SB 463 as a step toward that goal. The governor signed the bill June 9, 2017.

HB 1237 (West) creates a dual-credit type arrangement for students taking postsecondary approved technology courses in high school. We testified on this bill, lauding most of its provisions, but questioning elements allowing the commissioner to accept and use private funds to implement the program. The bill passed and took effect September 1, 2017.

HB 515 (VanDeaver) would have simply reduced the number of mandatory state tests–State of Texas Assessments of Academic Readiness (STAAR) and end-of-course–to those federally required by the Every Student Succeeds Act and the No Child Left Behind Act. The bill was widely supported by parents, teachers, and others. However, by the time the Senate approved it (without public comment on the many changes made), only the eighth grade social studies test was eliminated. Among many other changes the Senate made to the bill, the U.S. history test was replaced with a citizenship examination; it would end retesting for those students who fail the fifth and eighth grade reading and math STAAR examinations, instead requiring individual accelerated learning plans to support them in the following year; and it empowers the commissioner to create a high stakes writing portfolio assessment by 2021 to replace the current essay requirement. While we supported the original test reduction bill, we were studying the changes made when the bill died in committee.

Summary of the 85th Texas Legislative Special Session. Public education bills were again dominated by HB 21 (Huberty). However, much of its potential to begin to improve public school funding was diminished by Senate changes. Senate attempts at including funding for private and religious schools (vouchers) were again defeated in the House.

HB 21, as signed by the governor, transfers \$351 million from the Health and Human Services Commission (HHSC) to the Texas Education Agency (TEA) for the 2018-19 biennium to implement certain provisions, including:

- Additional state funding for charter schools in the amount of \$60 million per year as an entitlement beginning in 2019.
- Increasing the small district (less than 300 square miles) adjustment in increments through 2024 to bring that funding up to that of small districts of 300 or more square miles. This is expected to increase state costs for the Foundation School Program (FSP) by \$41.3 million in 2019 to \$124.9 million by 2022.
- Grants for innovative services to students of autism and dyslexia of up to \$20 million each over the biennium.
- Creating a 2-year grant program providing transition aid for school districts experiencing financial hardship, including the loss of maintenance and operations (M&O) revenue, capped at \$100 million in 2018 and \$50 million in 2019.
- Transferring an additional \$212 million from Health and Human Services Commission to the Teacher Retirement System of Texas (TRS) to reduce the expected increase of \$3,000/year per participant to \$1,500/year in premiums, deductibles and prescription drugs.
- Creating the Texas Commission on Public School Finance with the responsibility to develop and make recommendations for improving the current public school finance system.

SB 7 (Bettencourt) addressed inappropriate relations between school employees and students, increasing criminal penalties and sanctions and adding the possibility of pension revocation. SB 1709 (Menendez) makes cyber bullying of minors a crime. SB 1566 (Kolkhorst) empowers the commissioner of education to dictate policy to locally elected boards that are subject to interventions or sanctions due to accreditation status, unsatisfactory academic performance, or financial accountability. HB 2087 (Van Deaver) establishes rules governing the use of student data collection and protection and prohibits the sale of student data or use of student data for advertising purposes.

Issues not addressed. (a) Funding increases to teacher pay. (b) Funding for fast-growing districts that have reached their tax cap and cannot adequately accommodate their increasing student populations.

2019. The drive by state leaders to reduce or control local property taxes (currently funding 62% of public education), to increase teacher pay, to increase or decrease state testing, and several other issues caused serious differences in the House and Senate and sent the most impactful public education refinancing and restructuring bill, HB 3, in decades to a conference committee. The HB 3 conference committee added a few completely new provisions to the bill at the last possible minute, forcing lawmakers to acquiesce due to the overwhelming good the bill could do.

LWVTX Public Education Actions Summary Stats:

- Out of 7,324 bills filed, 923 related to public education (including open-enrollment charter schools).
- We registered positions For, Against or On 179 bills, not including those we registered on more than once
- We wrote and delivered testimony on 10 bills and wrote letters and emails to 18 Senators and Representatives.
- Of the 179 bills we took action on, 35 bills passed both houses. Of those, we opposed just two.
- All but one of the 35 bills passing both the House and the Senate have been signed into law by the Governor; he vetoed HB 455.

The bills that concerned us most were those on public education funding.

In its 308 pages, HB 3 restructures how we fund public education, including funding priorities. Some significant actions address:

All Students:

- Increases the basic allotment to \$6,160 per student.
- Changes the weighting and designation of economically disadvantaged students to account for five tiers of census blocks, including data on: median household income, educational attainment, home ownership, single parent households.
- Establishes a grant for schools and charters implementing blended learning (using technology) programs.
- Repeals the G/T (gifted and talented) allotment, but requires districts to offer a G/T program.

Elementary Students:

- Funds and requires districts to offer full-day pre-K to economically disadvantaged, military dependents, homeless and limited English four-year olds
- Funds 30 half-days of extended (summer) learning for K-5 students.
- Creates reading standards and assessments for K-3.
- Requires the use of a phonics curriculum.
- Requires K-3 teachers and principals to attend literacy training.
- Allows the Commissioner to approve an alternative reading assessment for kindergarten students.

Secondary Students:

- Creates a student bonus for achieving certain standards on the SAT, ACT, TSIA or Armed Services
 exams.
- Requires graduating students to complete the FAFSA (a financial aid form).
- Reimburses college entrance exam costs.

Teachers and Staff:

- Requires districts to use 30% of the new revenue to increase salaries for full-time (non-administrative) employees, with 75% of that going to teachers, counselors, librarians and nurses.
- Increases the minimum salary schedule for teachers and full-time librarians and counselors.
- Creates: incentives for highly effective teachers at high-needs campuses, an optional designation of teachers as exemplary, master, or recognized, and a mentor-teacher program allotment.

Taxes:

- Reduces school property taxes from \$1/\$100 valuation to \$0.93/\$100.
- Imposes an automatic tax increase cap beginning in 2021 of 2.5% (from the previous 8%). This was justified by the increase in state funding. Opponents are concerned because: increased state funding is not guaranteed from year to year, this removes an important local control element, it restricts district flexibility in responding to student growth and cost increases.
- Reduces recapture (Robin Hood) through various means.

Students in Need:

- Increases the compensatory funding weights for various needy student groups (dyslexia, dual language, special ed, etc.).
- Requires that 55% of the increase be spent on supplemental services for at-risk, economically disadvantaged and bilingual/LEP students.

Assessment/Accountability:

- Eliminates the 4th and 7th grade writing tests.
- Requires school boards to develop plans and set performance goals for: early childhood literacy, math proficiencies, CCR (college, career and military readiness).
- Requires district efficiency audits.

The Commissioner:

Increases the Commissioner's responsibilities (some new, others formerly the SBOE's), including:
 administering the FSP (Foundation School Program), resolving school finance formula issues, certifying
 census blocks to determine funding levels, rulemaking and funding authority for Special Education,
 working with a higher ed institution to assess STAAR readability levels.

Other Funding:

- Increases the NIFA (New Instructional Facility Allotment).
- Creates allotments for: fast-growth districts, P-Tech and New-Tech programs, 7th grade CTE, small and mid-sized districts.

SB 2, the "no new revenue" bill, which we opposed, was signed June 12.

- This bill sets new, lower limits on property tax increases, affecting city and county governments, water and other special districts, to 3.5%. Opponents are concerned that this bill restricts local control and reduces local governments' ability to respond as needed to growing populations and increasing costs for safety and emergency services, transportation, libraries, etc.
- School districts' tax increases will be limited to 2.5%. School districts noted that, although the state has increased its funding for education this biennium, there is no guarantee that the state's funding will be sufficient nor that it will be renewed.
- The bill does address some tax transparency concerns.

HJR 3 (and its enabler HB 4621) proposed offsetting lower school district property taxes with increased sales & use taxes. We opposed this because sales taxes are regressive, hurting the least able to pay the most. Fortunately, HJR 3 (and others like it) died in the House.

HJR 151 - a Constitutional Amendment that will allow the School Land Board (SLB) to double the funding it contributes directly to the Available School Fund (ASF), bypassing the State Board of Education (SBOE). It passed in the November 2019 Constitutional Amendment election.

I. Public School Testing and Accountability

2008, 2020 (See also LWVUS Positions "Education" and "Federal Role in Education" in Impact On Issues)

The League of Women Voters of Texas supports state-mandated **standardized achievement tests** that are used with a state-mandated curriculum as a method to measure individual mastery and proficiency in a subject, and as a diagnostic tool to measure student growth in progress from one year to the next. In addition, the League supports state- mandated tests that are:

- Developed and reviewed by a broad spectrum of Texas educators who are acknowledged experts in their fields.
- Written with sensitivity to the diversity of the state's population.
- Not used as the sole determination for grade-level advancement or graduation from high school.
- Used to measure end-of-course proficiency for graduation from high school.
- Developed to measure higher-level thinking skills.
- Limited in frequency of test administration, which would also apply to benchmark tests, practice tests, and field tests.

The League of Women Voters of Texas supports a state-mandated, **standardized curriculum** that is developed with broad input from Texas educators, the public, business groups, and elected and appointed officials. In addition, the League supports a state-mandated curriculum that:

- Reflects the diversity of the state's population.
- Covers subjects that are included on the standardized tests, as well as those that are not included, to ensure richness and variety.
- Provides the academic rigor necessary for success in postsecondary education and careers.
- Provides students with an education that prepares them to be responsible members in a participatory democracy.

The League of Women Voters of Texas supports a state-mandated **accountability system** to ensure that districts are teaching the standardized curriculum. In addition, the League supports an accountability system that:

- Aligns with any federal accountability system to avoid conflicting results.
- Identifies academic achievement and gaps in performance among subgroups of students, based on standardized tests and other indicators (e.g., dropout, attendance, and high school completion rates).
- Is used as a diagnostic method to evaluate the strengths and weaknesses of schools and school districts, but not to establish school or school district ratings; not to sanction, reconstitute, or close schools; and not as a primary factor to appraise and terminate educators.
- Measures a school's growth in academic achievement from one year to the next, rather than as a single-year assessment.
- Places less emphasis on the standardized test and includes additional measurements, such as other types of tests, performance in coursework, and portfolios.
- Directs resources to improve performance but not to reward schools.

The League of Women Voters of Texas supports **equitable opportunity** for academic achievement for all students. Specifically, the League supports:

- Universal but not mandatory prekindergarten programs.
- Universal but not mandatory full-day kindergarten programs.
- Early intervention for academically at-risk students.
- Research-based instruction for English learners and other targeted subgroups of students.
- Tutoring and/or remedial classes for students who fail a section or sections of the standardized test.

 Availability of extended school day, Saturday classes, summer school, extended school year, and night courses at various school levels.

The League of Women Voters of Texas endorses **support for teachers** in the mandated testing environment. Specifically, the League supports:

- Adequate planning time or class-release time for improving student performance.
- Professional development that is relevant and is supported by research demonstrating improvement in student achievement.
- Reduction in class size, especially for low-performing students, at all grade levels.
- Qualified teacher aides for low-performing campuses.
- Incentives to attract experienced and qualified teachers to low-performing campuses and to subject areas where shortages exist, but not to reward teachers or campuses for improvement in the performance of their students on the standardized test.
- Mentoring for new teachers, with compensation for mentors.

Explanation: Public School Testing and Accountability

This study was adopted as a not-recommended item at Convention 2006. Titled "Testing K-12 in the Public Schools of Texas," it was intended to educate members on the current uses and demands of the state mandated achievement testing system in Texas. The scope was expanded to include how the testing system and the accountability system are interrelated. A *Facts and Issues: Mandated Achievement Testing in the Public Schools of Texas* was published in the fall of 2007, and the board approved the new position in January 2008. The section concerning "standardized curriculum" was amended by Convention 2020 to include the statement concerning citizenship education.

History: Public School Testing and Accountability

2007. The legislature addressed testing and accountability issues in SB 1031. It replaced the state-mandated standardized test—the Texas Assessment of Knowledge and Skills (TAKS)— with end-of-course testing as a requirement for graduation from high school. The change starts with students entering Grade 9 in the 2011-12 school year. The TAKS is still to be used in Grades 3 to 8. In addition to other changes that were designed to relieve the pressure from testing and provide better preparation for college, the bill created a Joint Select Committee on Public School Accountability. This committee was directed to consider changes in the test-driven accountability system before the 2009 Session, with implementation of any proposed changes scheduled for 2011-12.

2008. The League filed testimony in March and May with the State Board of Education (SBOE) concerning revisions to the state curriculum in English/Language Arts and Reading (ELAR) for kindergarten through 12th grade. The League urged support of a state standardized curriculum that is developed with broad input from Texas educators and that addresses the needs of the state's diverse student population. The League supported the draft curriculum from teacher writing teams, but the SBOE voted 9-6 to approve their own revisions to a late-hour version.

The State Board of Education began considering revisions to the K-12 science curriculum in the fall of 2008. The League filed testimony in November urging support for the draft from the teacher writing teams which embraced the scientific concept of evolution that is widely endorsed by scientists throughout the world and a standardized curriculum that provides the academic rigor students need to succeed in college and careers throughout the nation and the world.

In June the League filed testimony before the Joint Select Committee on Public School Accountability, one of many such hearings held throughout the state. The League called for a fairer and more just system, free of punitive ratings and sanctions, citing positions the League had adopted in the spring of 2008.

2009. The League filed testimony with the State Board of Education in January and March concerning proposed revisions to the K-12 science curriculum. Once again, the League supported drafts prepared by educator writing teams. The League opposed language that would weaken instruction in the scientific concept of evolution and the ability of Texas students to compete in a global market. A March 2009 Action Alert urged members to support these positions in individual contacts with the State Board of Education. While the State Board of Education did not adopt "strengths and weaknesses" language concerning the study of evolution, the board approved amendments to

require high school students in biology to "analyze and evaluate the sufficiency and insufficiency of common ancestry;" and in earth and space science, to "assess the arguments for and against universal common descent." As the State Board of Education takes up revisions to the social studies curriculum in the fall of 2009, the League is continuing advocacy supported by previously invoked positions.

The 81st Legislature enacted broad changes to the state accountability system in HB 3. Some of the modifications are consistent with League positions: allowing the use of growth models, rather than a single-year assessment, to measure a school's achievement; improving preparation for college and careers; reducing the focus on student achievement as the prime criterion for promotion in grade 3; providing some relief on the definition of dropouts, which affects ratings; and giving the commissioner of education the option to grant improving schools to be rated as Unacceptable an additional fifth year before they are closed or put under alternative management. However, the League believes that HB 3 did not do enough to relieve punitive sanctions, ratings, personnel changes, and closures, which disproportionately affect urban schools with high populations of low- income students and English learners. The League prefers an accountability system that is used for diagnostic, rather than punitive purposes. Another concern is that the test-driven accountability system has become even more complex and reliant on achievement ratings since HB 3 added 10 new indicators on college readiness.

2011. Education issues associated with testing, accountability, and achievement took a back seat to school finance this session. Many changes concerning these issues resulted from HB 3 last session, with some scheduled to be phased in through 2013. The consensus this session seemed to be that the new system should be allowed to become fully operational before other changes should be made.

HB 2135 is one change that will cut back on assessments for students in Grades 3 and 5 who meet certain requirements. Another change, which was requested by some legislators in the 2011 Session, involves the way accountability ratings are determined by the Texas Education Agency.

Based on a 2006 legislative directive, the agency had developed and adopted in 2009 the Texas Projection Measure (TPM). It estimates whether a student who failed the standardized test during the current school year is likely to pass the test in the next grade level. If so, the student is counted as passing for purposes of the current year's accountability rating.

This session, legislators argued that the Texas Projection Measure artificially increased ratings and gave the public a misleading message about the performance of their school and district. In response, the commissioner of education reverted to the actual passing rates for calculation of the 2010-11 accountability ratings. This system will remain in effect while the state transitions from the Texas Assessment of Knowledge and Skills (TAKS) to new, more rigorous assessments: the State of Texas Assessments of Academic Readiness (STAAR) and end-of-course tests in high school. 2013. HB 5 (Aycock), supported by the League, was the major piece of legislation to deal with testing at the high school level. Both the House and the Senate passed it unanimously. It reduces the end-of-course tests from 15 to five, including English I and II (reading and writing combined), Algebra I, Biology and U.S. History. English III and Algebra II may be used by districts for diagnostic purposes but will not be required for graduation. The new testing regimen will begin in 2013. Schools will also be prohibited from administering more than two benchmark tests per student per subject. We supported this bill based on our position that tests should be limited in frequency of test administration, including benchmark tests, practice tests and field tests.

2017. HB 515 (Van Deaver) would have simply reduced the number of mandatory state tests–State of Texas Assessments of Academic Readiness (STAAR) and end-of-course–to those federally required by the Every Student Succeeds Act and the No Child Left Behind Act. The bill was widely supported by parents, teachers, and others. However, by the time the Senate approved it (without public comment on the many changes made), only the eighth grade social studies test was eliminated. Among many other changes the Senate made to the bill, the U.S. history test was replaced with a citizenship examination; it would end retesting for those students who fail the fifth and eighth grade reading and math STAAR examinations, instead requiring individual accelerated learning plans to support them in the following year; and it empowers the commissioner to create a high stakes writing portfolio assessment by 2021 to replace the current essay requirement. While we supported the original test reduction bill, we were studying the changes made when the bill died in committee.

J. Redistricting

1984, 1999, 2017 (See also LWVUS Position "Redistricting" in Impact On Issues)

The League of Women Voters of Texas supports action to achieve an effective method for drawing nonpartisan boundaries for congressional and state legislative districts through legislative action and constitutional revision.

The League supports the formation of an autonomous, independent citizens redistricting commission following the decennial census with the initial responsibility of formulating a redistricting plan, designating boundaries for the U.S. congressional districts and the state House and Senate districts, with the following provisions:

- Criteria for drawing district boundaries include the following:
 - Districts must be apportioned on the basis of equal population.
 - Districts must be single-member and contiguous.
 - Consideration must be given to ensuring that the districts be compact, that district lines coincide
 with boundaries of local political subdivisions, and that districts not be drawn to dilute the voting
 strength of minority populations or drawn with the intent to favor or disfavor a political party or
 incumbent.
 - Efforts should be made to avoid splitting residential subdivisions and large residential complexes into more than one district.
 - Districts must not be apportioned on the basis of numbers of electors, but on total population (a
 qualified elector is any person eligible to vote in a state election in Texas; federal apportionment law
 is based on total population).
- The redistricting process must include:
 - Specific timelines for the steps leading to adoption of the redistricting plan.
 - Public hearings on the plan proposed for adoption.

Explanation: Redistricting

In 1983 the League adopted a "Study of the Congressional and Legislative Redistricting Process in Texas," including assessment of current criteria and evaluation of possible alternatives. The study grew out of a concern for the way redistricting had been accomplished during the 1970s and 1980s when legislative redistricting problems had resulted in prolonged wrangling over district lines. League members asked for the study in order to have a position from which to work before the 1990 census and the next round of redistricting. The position was adopted in the fall of 1984.

League members strongly support the initial use of a commission. But members also provided for an alternative method in the event that the legislature is not willing to use a commission. If a commission is not initially responsible, the legislature should conduct the work of redistricting during a special session of the legislature called for the sole purpose of redistricting. The special session should operate within a short, strict time frame.

During 1997-98 Periodic Program Review, the committee clarified the League position opposing consideration of "communities of interest" as criteria for drawing district boundaries. Communities of interest can include common occupations, industries, and ethnic or religious cultures. Most redistricting authorities agree that this criterion is so broad that it invites problems. Communities of interest are difficult to define and often extend beyond political subdivisions and geographical boundaries. Racial and language minorities can constitute a community of interest that is already protected under the Voting Rights Act. At Convention 2013 delegates voted to remove the term communities of interest from the position. At the LWVTX Statewide Conference 2017 delegates passed an updated position that emphasizes an independent citizens commission to draw district boundaries.

The Redistricting position was amended by delegates to Convention 2020 to add the statement concerning the splitting of residential areas, and to emphasize the concern with nonpartisanship in drawing boundaries.

History: Redistricting

Action on this study has focused on trying to get legislators interested in reforming the redistricting system during a session in which redistricting is not being done. Efforts thus far have been futile. Reform measures have been introduced in each regular session since 1985 but have not been reported out of committee.

1990s. The League testified at redistricting hearings about the criteria we consider essential to a good redistricting plan. The LWVTX monitored redistricting legislation in the 1991 Legislative Session that redrew boundaries based on the new census. Forty-three bills on redistricting were introduced in the 73rd Legislature (1993). The League testified in favor of a measure that would have established a commission with initial authority over redistricting. Although none of the bills passed, the number introduced and the interest generated gave hope for progress in the future.

2001. None of the redistricting bills passed in the 77th Session. The redistricting process remained unchanged. The Legislative Redistricting Board drew up the Senate and House districts, and congressional redistricting was assigned to the courts when the governor did not call a special session. A large number of court suits resulted from redistricting plans after the 1990 census. Districts were not completely finalized until 1997. At this time it is not known whether or not the new plans drawn following the 2000 census will be in place in time for the 2002 election.

The League's major redistricting efforts in the 77th Session were directed toward changing the redistricting process. After bills to establish a citizen's commission to draw the initial redistricting plan failed, the League lobbied in favor of SJR 35 (Wentworth et al) to establish a special session devoted exclusively to redistricting. The "League bill" passed the Senate Redistricting Committee unanimously, passed the full senate with 29 coauthors, but was not successful in the House. Grassroots support provided by local Leagues and League members was a factor in getting the issue of redistricting process reform before the legislators and raising the interest in, and profile of, this important issue.

The League worked to educate members of the legislature on the use of the most accurate census figures available and endorsed the use of statistical sampling as a proven scientific technique that, when properly used, can improve the accuracy and lower the costs of ascertaining the population count. However the legislature chose not to use this method.

2003. The League-supported bill establishing a commission with initial authority over redistricting did not receive a committee hearing in the regular session. The League opposed, on the grounds that a valid plan was in place, a House bill that would have redrawn the congressional districts. Over 50 representatives left the state to deny a House quorum and the bill died.

The governor called a special session for the purpose of redrawing congressional districts. Again, the League opposed redrawing the districts and called for a change in the process to establish a commission with initial authority over redistricting. The LWVTX testified at House hearings in Houston, Lubbock, and Dallas, and at Senate hearings in Houston and Dallas. Local Leagues testified in San Antonio and Waco.

A 2^{nd} special session was called in July with 11 of the 12 Democratic senators leaving the state just before the session was convened. The new redistricting plan was adopted in the second session and withstood court challenges. The new plan was in effect for the March primary and for the General Election in the fall of 2004.

2005. Senator Wentworth again introduced a bill, SB 1404 that would establish a commission with initial authority over redistricting, but this time addressing only congressional districts. While supporting a commission with authority over legislative as well as congressional districts, the League chose to support this bill with testimony, Action Alerts, and other advocacy. The bill passed the Senate 30 to 1, but died in the House without a committee hearing.

2006. What follows is from a LWVUS press release: League Takes Aim at Partisan Redistricting

As a part of its Democracy Agenda, the League of Women Voters has called on the U.S. Supreme Court to overturn the partisan gerrymander imposed on the citizens of Texas in 2003. In an amicus curiae, or "friend of the court" brief, the League of Women Voters of the United States and the League of Women Voters of Texas argue that the Texas legislature's mid census redistricting was unconstitutional because it was carried out solely to achieve partisan advantage. The law firm of Wilmer, Cutler, Pickering, Hale and Dorr LLP prepared the brief on behalf of the League. The Court will hear arguments in the case, LULAC v. Perry, on March 1, 2006.

"Partisan gerrymandering undermines the basic principles of representative government," according to Kay J. Maxwell, president of the national League. "The Texas League fought this plan when it was presented, and we are proud to join with them in asking the Court to overturn it. Partisan gerrymandering subverts the democratic system because it allows politicians to choose their voters, rather than vice versa. This turns representative government upside-down," Maxwell said.

The Texas mid census redistricting case involves the threshold decision of whether to redistrict at all and not just a decision about how to draw the lines in a redistricting plan. While acknowledging that redistricting policy necessarily has an effect on election outcomes, the League in its brief urges the Court to decide that "there is a stark difference in kind between, on the one hand, relying on neutral considerations that incidentally affect partisan outcomes and, on the other, adopting exclusively partisan criteria for which specific partisan outcomes are the goal." By filing this brief the League of Women Voters continues its long history of fighting against attacks on the basic constitutional right to fair and equal representation guaranteed to all citizens by the Constitution. Leagues have worked vigorously across the country to secure representative redistricting plans in their states after each census and are seeking reforms to assure that the redistricting process is nonpartisan, equitable and open. These are core rights for citizens of a free and democratic nation.

The League's Democracy Agenda is an advocacy and public education program to strengthen and renew the basic tenets of American democracy. This effort seeks to protect our electoral processes through election reform and campaign finance reform, to advance our representative government through nonpartisan redistricting, and preserve our constitutional rights by safeguarding civil liberty.

The Court did not decide in favor of the League position, which was to overturn the plan. It did, however, decide that the plan had a deleterious effect on Hispanic minority districts, and these had to be redrawn. The new districts were in place for the November election.

2007. At the beginning of the session Senator Wentworth, a longtime champion of fair redistricting and author of numerous bills supporting the formation of a redistricting committee, spoke. For over three decades the LWVTX has worked in support of an independent redistricting commission to formulate a redistricting plan to draw boundaries for congressional and Texas House and Senate districts. A major hurdle in getting redistricting legislation passed in the 80th Session was to get the House Committee on Redistricting to schedule hearings on the redistricting bills and pass them out of committee. Action Alerts were sent to League members to urge early hearings and voting on the bills. The League did receive one of the rare invitations to present testimony to the House Committee on Redistricting. The League expects to continue to support efforts to change the redistricting process. The issue needs to be addressed at a time when redistricting is not being done.

2009. The LWVTX board voted to authorize a Redistricting Advocacy Campaign in advance of the Legislative Session, mobilizing local Leagues to work for grassroots support of Senator Wentworth's bill. However the bill did not reach the floor for a vote.

2011. The Texas Legislature passed redistricting bills for the U.S. Congress, Texas Senate, Texas House, and the State Board of Education. While these bills have become Texas law, federal law still requires that either the Department of Justice or the D.C. Federal Court preclear them. The State Board of Education map was pre-cleared but the other maps are now before the Federal Courts. Temporary maps were put in place for 2012 while the courts hear the cases before making a final determination. These maps were drawn to maximize the number of seats held by the majority party while skirting the Voting Rights Act. Competitiveness has been significantly reduced in these maps, but of course there is no legal requirement for districts to be competitive. The opportunity for minorities to elect the candidate of their choice even in previously majority- minority districts has been reduced. Bills, including one by Senator Wentworth to improve the way redistricting is done were once again considered but not passed.

2013. As the League's 2012-14 biennium began, the federal court in San Antonio hearing challenges to redistricting plans passed by the 2011 Texas Legislature had drawn interim maps so 2012 elections could proceed and was awaiting the D.C. court decision on whether to preclear the legislature's maps. In late August 2012, the D.C. court declined to preclear the maps. The State of Texas appeal to the U.S. Supreme Court was put on hold until the Court decided the Shelby County, Alabama, challenge to the preclearance requirement.

During the regular 2013 Legislative Session, a handful of redistricting bills were filed. Bills filed in both chambers, HB 145 (Strama) and SB 104 (West), would have established a redistricting commission, which the LWVTX has long supported, but were never heard in committee. Senate State Affairs Committee hearings on SB 1524 (Seliger) to adopt as permanent the interim maps drawn by the San Antonio court for 2012 elections revealed strong Democratic opposition, and the bill was left pending in committee. The regular session ended without significant action on redistricting.

Immediately on adjournment of the regular session, Governor Perry called a special session to adopt the court-drawn interim maps as permanent. The Senate's traditional rule requiring two-thirds support for bills to be brought to the floor was not followed during this and subsequent special sessions, which meant bipartisan support was not needed for bills to reach the floor. Both chambers established select redistricting committees to consider adoption of the court's interim maps for both state Senate and House as well as congressional districts.

House and Senate select committees held hearing on the bills in Austin and several field locations. The LWVTX testified in Austin, and local Leagues testified at hearings in Corpus Christi, Dallas, Houston, and San Antonio, emphasizing the importance of redistricting that is responsive to constituent concerns, reflects diversity, and grants all voters the opportunity for meaningful participation in their democracy.

Both chambers passed bills adopting as permanent the interim maps for congressional and Texas Senate districts as drawn by the court and the interim map for Texas House districts with minor changes to the court-drawn maps (SB 2 (Seliger), SB 4 (Seliger), and SB 3 (Seliger), respectively). Before Governor Perry acted on this legislation, the U.S. Supreme Court announced the Shelby County decision striking down criteria for determining jurisdictions subject to preclearance. With the U.S. Supreme Court decision, Texas could have gone back to the Legislature's 2011 maps, but instead Governor Perry signed the three bills passed by the 2013 1st Special Session, permanently adopting the 2012 interim maps drawn by the San Antonio court with minor modifications to the state House map.

Adopting the court-drawn map for state Senate districts resolved the legal challenges to redistricting for that chamber in the San Antonio court. However, challenges under the Constitution and Section 2 of the Voting Rights Act to the state House and congressional maps continue in San Antonio, and the U.S. Department of Justice has joined the proceedings. Plaintiffs have asked that Texas be bailed-in to preclearance under Section 3. Parties are preparing for a trial scheduled for summer 2014 on issues regarding the 2011 maps drawn by the legislature, the court-drawn interim maps for 2012 now adopted by the State of Texas, and the tweaks to the court-drawn House map made by the 2013 special session. A new challenge to state Senate redistricting was filed April 21, 2014, in Austin arguing that districts should be drawn based on eligible voters, not on overall population, and a three-judge panel has been appointed to hear that case.

2017. The House Committee on Redistricting never met during the 85th Legislative Session.

2019. For the first time in 6 years, the House Redistricting Committee met and held organizational hearings on 2/28 and 3/7. The purpose of these hearings was to hear invited testimony from experts in the field, to prepare the committee members for the next round of redistricting. The committee held a hearing on bills on April 4. The Fair Maps Texas Coalition, of which we are a part, worked very hard to get new legislation filed this session. **Bills that we helped draft:**

<u>HB 3421</u>- A bill to create an independent redistricting commission for our US Congressional districts. (M. Gonzalez). <u>HJR 123</u>- A constitutional amendment that would create an independent redistricting commission for both our state legislative and our US Congressional districts. (Naeve). <u>HJR 124</u>- Redistricting Transparency Act. A constitutional amendment that would require the state to hold public hearings around the state AFTER the census data is handed down. It would also require the state to provide online software and data for the public to use to create and submit their own redistricting plans. (Gonzalez). <u>HB 2429</u>- The Texas Voting Rights Act. A bill that expands on the existing Voting Rights Act by making it easier for a protected class of citizens to challenge "at-large" election systems in the courts. (Reynolds).

Other bills that we support:

<u>SJR 52</u>- A constitutional amendment that would create an independent redistricting commission for both our state legislative and our US Congressional districts. (Menendez).

<u>HB 4564</u>- A bill that would modify the criteria used by the Legislature to draw districts. Includes respecting political subdivisions and prohibiting the use of partisan data when drawing new plans. (Y. Davis).

Three of these bills were given a hearing in the House Redistricting Committee. We testified but all were left pending with no vote by the committee. (HB 3421, 4564, and HJR 123). The rest received no committee hearing. However beginning in April, the League of Women Voters of Texas along with partnering organizations, communicated with the House Redistricting Committee regarding the location and organization of public input hearings, to be held before the next round of redistricting in 2021. The League was actively involved with these hearings, holding training sessions for citizens in the cities planned for hearings.

K. State-Local Relations

1963, 1965, 1971, 1999

The League of Women Voters of Texas supports more flexible structures and adequate powers at the local level; comprehensive regional state planning, including regional planning councils with the following provisions:

- State financial and technical assistance to regional councils.
- Flexible government structures for counties and municipalities, together with legislative and financial powers adequate to provide local services.
- Authorization for cities and counties to combine efforts on regional problems enabling performance of services without overlapping costs and taxation, in preference to single- purpose districts (i.e., transportation districts, municipal utility districts, etc.).
- Regulation of single-purpose districts by the state with provisions for greater accountability.

Explanation: State-Local Relations

The study of state-local relations, which was begun in 1962, was a logical continuation of the League's study of the Texas Constitution. League members had found many governmental problems that did not conform to an established political jurisdiction. This study included research into constitutional and statutory provisions governing general law cities, home rule cities, and other forms of city government. The League learned in detail about county governments; special districts; how the state administered its services in public education, public health, and water resources; and sources of revenue.

In 1964, comprehensive and regional planning was studied in depth, and the League became interested in councils of government and regional planning councils. In 1971, a reevaluation of councils of government was made with one League from each area doing an evaluation of its own council. The result being that the League continued to support councils of government.

History: State-Local Relations

During the 1974 Constitutional Convention, the League worked for constitutional revisions that would allow more flexible structures for county and municipal governments.

The League continues to support expanding the authority of county government to carry out urban activities and giving it the option to assume a larger role in meeting countywide needs and problems. Legislation granting counties some form of ordinance-making power has been introduced in several sessions, and the League has supported efforts that meet our positions. At Convention 1985 delegates asked for an explanation of the part of this position dealing with single-purpose districts. Though the recommendation resulted from an interest in municipal utility

districts, preliminary research showed that there has been a proliferation of both single and multipurpose districts since the position was adopted.

The Periodic Program Review Committee recommended to Convention 1989 delegates that the State/Local Relations position be dropped. Delegates voted to retain the position. Some local Leagues have used the position extensively in lobbying for combining certain city and county governmental functions and against overlapping services.

In 1999, the Periodic Program Review Committee recommended retention of this position, and added an explanation of "single-purpose districts."

2009. The primary focus of the 81st Session related to county authority, often referred to as ordinance authority or land-use management. The LWVTX concurred with county officials and with many property owners that common-sense regulation is overdue. Because Texas counties have no authority to manage growth and development in unincorporated areas, scarce water supplies are endangered and homeowners sometimes discover that a rock crushing plant is planned just over the property line. The League supported bills which called for one or more of the following: buffer zones between designated areas for residential, commercial, industrial, and agricultural use; density limits which take into account the available natural resources and local infrastructure; and impact fees to be paid by developers to offset the increased cost of building additional infrastructure and providing services. At the beginning of the session, the LWVTX published an advocacy paper setting forth and explaining its support for these measures.

In the Hill Country, officials of 15 county governments (Bandera, Blanco, Burnett, Comal, Edwards, Gillespie, Hays, Kendall, Kerr, Kimble, Llano, Mason, Medina, Real, and Uvalde) began working with other interested local groups (including the LWVTX) and Representative Patrick Rose far in advance of the session to gain consensus regarding the need for more authority in these fast-growing, but ecologically fragile areas. HB 3265 provided for a local option vote before authorizing county authority regulations, including setting density limits, establishing set-back lines, and assessing impact fees. A large contingent of county officials from many of these counties came to the Capitol to sign in and/or testify when the bill was presented to the County Affairs Committee, as did the LWVTX and other interested groups and individuals. Representative Rose's bill was approved by the committee, other Hill Country legislators signed on; it was sent to Calendars Committee, where it died.

The Land and Resource Management Committee heard Representative Valinda Bolton's bill, HB 4175, which would have allowed counties with population between 800,000 and 1.3 million to adopt comprehensive land development plans including buffer zones. The bill had broad support from Travis County officials, the LWVTX, and even the local builders association. Because it would apply to unincorporated areas of the most populous counties, it also had the support of several other legislators representing those areas. After stalling for some time in committee, it was sent to Calendars Committee, where it died.

In the Senate, Senator Jeff Wentworth submitted several bills, but didn't present them to committee. Although most activity on this issue addressed regulating growth in the Hill Country and Travis County, some legislation included other areas and issues as well. The only bill that was passed and signed this session was HB 2275 (Raymond) which tweaked the existing regulations in the international border areas.

A bill to regulate billboards along SH 71 by Representative Bolton made it to the governor's desk, but was vetoed there. Several other bills by other legislators that would have expanded county government authority, especially in Central Texas, died in committee. Bills that would have regulated noise in unincorporated county areas, bills relating to county authority in specific geographic areas, and bills which related to county authority near military facilities all died in committee.

The ingrained attitude in Texas toward property rights continues to be defined by developers. The realities of water shortages, a county's need to plan for growth, and the rights of the individual homeowner to be protected from incompatible developments continue to be subordinate to business interests and growth. It is difficult to see that changing in the near future.

2011. County land use authority saw no bills voted out of committee. After last session, when a bill made it to the Calendars Committee, the two representatives who most actively supported giving counties the rights to regulate growth in unincorporated areas were defeated. Also failing to garner support were bills regulating new signs and noise in unincorporated areas. (See IV-B. Land Use.)

2017. See Section IV-B. Land Use.

2019. Our major activity this session began with our opposition to SB 15 (Creighton). This bill would prohibit cities and counties from requiring certain benefits and protections for employees. This relates to any form of employment leave (such as paid sick leave), hiring practices, employment benefits or other terms of employment. This bill would also gut non-discrimination ordinances that now protect more than six million Texans in most major Texas cities. Currently Austin, Dallas, El Paso, Ft. Worth, Plano, and San Antonio have municipal non-discrimination ordinances, and several other cities and counties have such policies for city workers and contractors. We issued an Action Alert (245 responses) and testified against the bill and the bill died in the Senate.

Then the author resubmitted it as four bills, SB 2485, 2486, 2487, and 2488, hoping parts of the bill would pass. Again we issued an Action Alert, "Fight Anti-Local Control Bills," and got 491 responses. All four bills passed the Senate but died in House Calendars. (This issue was covered by Equal Opportunity Issue Chair in this session.)

II. Administration of Justice

1960s, 1976, 1977, 1978, 1979, 1980,1987, 2003, 2010, 2019 (See also LWVUS Position "Sentencing Policy" in Impact On Issues)

A. Criminal Justice

The League of Women Voters of Texas supports an equitable system of criminal justice in Texas with the following provisions: Improvements in pretrial justice programs and an adequately state funded public defender system including:

- Availability of night and weekend magistrates.
- Improvements in the training and requirements of law enforcement personnel.
- Revision of the bail bond system to permit counties to serve as bonding agencies and to provide regulation of all commercial bail bond agencies and guidelines for more uniform bail amounts.
- Reform of the bail bond system to require state funded-risk assessment for defendants who are arrested for economic non-violent crimes, and who are unable to pay bail cost, so that they can be released on their own recognizance, subject to monitoring while awaiting pretrial.
- Reinforcement of the requirements for open hearings and the presence of a public defender at the time of a pretrial hearing.
- Elimination of jury sentencing, and revision of the penal code to reduce the disparity of sentences.
- State laws to prohibit wiretapping.
- A state correctional system which would assign highest priority to provision of a broad range of community-based programs and facilities as well as provide technical assistance and funding for locally administered programs.
- Improvements in the parole system.
- A prison system which would provide humane care for all inmates in a secure environment with maximum educational opportunities, adequate health care services, adequate programs to assist all inmates in making the transition from prison to the free world, and compensation to inmates for their labor.

Explanation: Criminal Justice

League concern with aspects of the justice system in Texas began in 1923 when the League joined other organizations to tackle conditions in the primitive prison system. Results of the committee's work have been lost in the mists of time. During the 1940s and 1950s the League studied and lobbied for the establishment of a family court system for Texas, which was established in 1959. In the early 1960s, several positions supporting an effective judicial structure were included in the League's Texas Constitutional Revision position. These can now be found in the Government section of *Program Perspectives*.

The Convention 1975 adopted a study of both the adult and juvenile justice systems. Divided into five parts, the study took 5 years. Each of these studies resulted in numerous positions from which action at both the state and local levels occurred. Many of our goals have been achieved.

In 1986 Administration of Justice positions underwent periodic program review. Proposals to drop positions that had been achieved and to consolidate others were approved by Convention 1987.

Under the position "Improvements in Pretrial Justice Programs" local Leagues can continue to support a wide variety of specific programs such as pretrial release and pretrial diversion. The bail bond position allows counties to serve as bonding agencies, to regulate commercial bonding agencies, and to establish guidelines for more uniform bail amounts.

Holding county jails to standards set by the State Commission on Jail Standards in the face of potential opposition by county officials or voters is still permissible even though specific support for the state commission has been removed from our position because the commission has been in existence long enough and with adequate funding to operate successfully.

The LWVTX can also take state and local action on further law enforcement personnel training should the need arise in a specific area (see the Domestic Violence position). Convention delegates also agreed to consolidation of the language relating to community corrections programs and probation. The final settlement of the lawsuit against the Texas Department of Corrections (Ruiz vs. Estelle) will continue to have an impact on the criminal justice system in Texas for many years to come. We maintain our position in opposition to wiretapping that is still allowed in Texas. The next legislative review will be in 2005.

At the LWVTX 2018 statewide convention a review of the current bail bond system with respect to fairness of practices and the defendant's ability to pay and risk to public safety was passed. The Criminal Justice position was reviewed by the Program Review Committee, and updated by concurrence at a 2019 statewide conference. Two bullets were added under "Improvements in Pretrial Justice Programs."

History: Criminal Justice

1991-93. The 1991 Legislature prepared for a massive revision of the Texas Penal Code by establishing a Punishment Standards Commission. The commission report was issued just before the 1993 Legislature convened. League testimony before the commission related to our position on reducing disparity of sentences. The commission's recommendations addressed this concern by reducing somewhat the range of punishments for first-, second-, and third degree felonies, but the legislature chose to retain the existing ranges.

One recommendation of the commission—the creation of a fourth-degree felony for certain non-violent offenses including possession of small amounts of drugs—was adopted by the legislature. These felonies, now called "state jail" felonies, are to be served in new incarceration facilities called state jails. This new felony category is in accord with the League position advocating less disparity in sentences. A two-year limit was placed on incarceration in a state jail, with the remainder of the sentence, if any, to be served under community supervision. Although recommended for deletion by the Punishment Standards Commission, the section of the Penal Code making homosexual conduct a Class C misdemeanor was retained in the new code.

Because the state had spent nearly \$2 billion of bond funds approved by voters since 1987, primarily for more prisons, the November 1993 ballot asked voters for another \$1 billion, mostly to construct state jails and transfer facilities for relief of the backlog of state prisoners still awaiting transfer in county jails. Small amounts of these bonds are allocated for state juvenile and mental health/mental retardation facilities. The ballot issue passed. Appropriations for community-based corrections increased dramatically between 1989 and 1993 but only modestly for 1994-95. The 1993 Legislature made permanent the treatment of batterers on probation and substantially increased funding for these treatment programs.

1995. The legislature lengthened the time that nonviolent state jail felons can be incarcerated.

2001. The governor signed the Fair Defense Act. The act, a result of the findings of two studies released during the past year, including one by the Appleseed Project, established the Texas Indigent Defense Council and authorized the development of standards governing the provision of services at trial, on appeal, and in the post-conviction process. The bill also set deadlines for appointment of counsel following arrest. This balanced set of reforms should help bring order and change to the Texas system that has more than 800 different indigent defense systems in more than 800 different criminal courts in its 254 counties. The League presented testimony in support and worked as a member of a fair justice coalition in support of this bill.

2003. The Texas Indigent Defense Reform Act (2001) managed to survive the session intact. Serious threats to roll back the progress made in 2001 did not materialize, and there was a significant boost in state funding or indigent defense. One such effort to repeal certain reforms would have delayed the appointment of counsel. This was turned aside. Another challenge, a bill that would have restored to judges the power to conscript attorneys, was also defeated. One disappointment was the failure of a bill directed at improving the competence of attorneys to represent death penalty defendants in habeas corpus proceedings.

2011. There are numerous programs in the Criminal Justice system that provide cost-effective mental health and substance abuse treatment services that avoid the significantly higher costs of incarceration and recidivism. While there were some gains in specific programs, there were also cuts in Basic Supervision, Prison Diversion Programs, Community Corrections, Treatment Alternatives to Incarceration, and Special Needs Offenders.

2019. Advocacy by LWVTX during the 86th Legislature was to support bills relating to bail bond reform, which was supported by some legislators and the governor. There was also extensive media attention and support on this issue. The only bill that gained traction was HB 2020 (Kacal et al). The bill had provisions for a Bail Advisory Committee to make recommendations to the Texas Judicial Council regarding a validated pretrial risk assessment tool which would consider the nature of the offense and ability to pay a bond. The bill passed the House, but missed the deadline for a vote by the Senate as the session ended.

Other bills relating to bail bond reform that failed were HB 465 (White) and companion bills HB 1323 (Murr) and SB 628 (Whitmire). Both HB 465 and HB 1323 were voted favorably out of committee, but did not come up for a vote by the House. LWVTX provided testimony for HB 465.

2021. During the 87th legislative session, LWVTX supported bills for police reform, prison reform, and community supervision reform.

Police reform received nationwide media attention after the death of George Floyd in 2020. HB 54, (Javier Ambler Act), prohibits police departments from contracting with reality TV shows. HB 929, (Botham Jean Act), requires police officers to keep body cameras activated the entire time in an investigation. HB 3712 and SB 69 prohibit the use of chokeholds by law enforcement. HB 3712 also requires officers to intervene if a fellow officer's use of force is endangering a life, and it requires them to administer first aid when needed. SB 24 requires police departments to review files of people before they hire them to keep officers with a history of misconduct from being passed to other departments. All bills passed and take effect 9/1/21, although HB 54 takes effect immediately.

Prison reform: We supported changes to enhance the rehabilitation of prisoners, their humane treatment, and the fairness of the prison system to reflect current research. HB 30 requires that all TDCJ inmates less than 18 years of age (22 if special education) be given a chance to complete their high school education. HB 3606 allows vocational training to be provided to inmates housed in Transfer Units where they may remain for up to two years before being sent to other units. These bills take effect 9/1/21.

However, HB 686, which would require the parole board to take a "second look" at inmates who committed crimes when they were younger than age 17, was **vetoed** by the governor. It would have required them to consider the young age of the person, the results of a comprehensive mental health evaluation, and statements from people who knew

the person before the crime as well as from people who would attest to the growth and maturity of the person. The governor stated this bill would conflict with jury instructions.

Community supervision: Four times as many people are on community supervision as the number of people in prison, highlighting the need for improvements. HB 385 allows courts to waive, partially waive, or substitute community service for supervision fees if a person lacks the resources to pay them. HB 569 seeks to remove financial barriers to re-entry for people who are released from jail or prison. It allows credit toward fines people owe if they are in jail/prison after the commission of the offense. These bills passed and take effect 9/1/21.

B. Capital Punishment Reform

2003, 2010, 2013 (See also LWVUS Position "Death Penalty" in Impact On Issues)

For as long as the death penalty is an applicable punishment in Texas, the League of Women Voters of Texas supports reform of the capital punishment system in Texas with the following measures:

- Establish a moratorium on all executions in Texas while an official study of the capital punishment system is conducted.
- Prohibit the execution of persons with intellectual/developmental disability, the mentally ill, and juveniles
 under the age of 18 at the time the crime was committed, establishing clear, uniform and clinical standards
 consistent with accepted professional practice to determine intellectual/developmental disability and
 mental illness.
- Observe the provisions of the Vienna Convention of 1848 by providing foreign nationals access to consular officials from their native country.
- Provide the options of life imprisonment and life without parole to juries in capital cases.
- Require the Board of Pardons and Paroles to adopt guidelines and substantive criteria upon which to base its clemency recommendations, to hold open meetings and to give explanations for its decisions.

Explanation: Capital Punishment

The issue of capital punishment has been in the foreground of debate in Texas for many years. The availability of DNA testing, the rising number of inmates found innocent and released from other states' death rows, as well as an increasing number of Texas executions, have made many in Texas question the death penalty and its effectiveness.

A study of Capital Punishment Reform was adopted at Convention 2001. The study compared (a) Outcomes for defendants with court-appointed lawyers to those who hire their own attorneys, (b) costs of execution to the costs of life imprisonment, (c) the potential of wrongful executions and the impact of new technology, and (d) possible sentencing alternatives. A study committee produced *Facts & Issues: Criminal Justice: Capital Punishment* in 2002 that was distributed to League members, public officials, agencies, and other interested groups and individuals. A limited consensus was reached in the fall of 2002 and the state board approved the new position in January 2003.

At the LWVUS Convention 2006, delegates voted to include support for the abolition of the death penalty in their positions. The LWVTX Convention 2010 voted to remove references to capital punishment sentencing from our position in order to bring our position in line with LWVUS.

A program review committee formed in 2012 recommended that several changes be made to the Capital Punishment Reform position. The committee produced a background paper supporting the changes that was distributed to local Leagues, and the changes were approved by concurrence at Convention 2013. The changes included wording changes and reordering of bullet items to clarify that the LWVTX position to support reforms to the capital punishment system does not conflict with the LWVUS position to support abolition of the death penalty, to change the term "mental retardation" to "intellectual/developmental disability" and include a statutory of

intellectual/developmental disability for purposes of screening accused murderers, to include both life imprisonment and life without parole as sentencing options, and to require the Board of Pardons and Paroles to adopt guidelines and criteria for its recommendations.

History: Capital Punishment

2003. The beginning of the 78th Legislative Session looked very promising as legislators introduced bills that would reform the capital punishment system. The LWVTX supported many of the bills, including those that called for an official study and moratorium, prohibited the execution of the mentally retarded and juveniles, and required foreign nationals to be informed of their consular rights. As the session progressed, it soon became evident that most of these bills would not make it out of committee and none made it to the floor for a vote. The promising beginning of the session proved to be disappointing, even leaving Texas law in noncompliance with the recent U.S. Supreme Court ruling that prohibits the execution of the mentally retarded.

2005. The 79th Session of the Texas Legislature ended without achieving any real reform to the criminal justice-death penalty system. While bills were introduced that would have achieved reform, most sat out the session in committee. The Life Without Parole bill signed by the governor had changed so dramatically from the original bill that its whole intent changed. The substituted bill added the sentencing option of Life Without Parole, but removed life imprisonment as another option for capital cases, leaving juries with still only two sentencing options. Bills that would have brought Texas into compliance with the Supreme Court ruling that prohibits the execution of the mentally retard were shelved. Another bill, which sought to protect the consular rights of foreign nationals, was also shelved. All in all the session was a disappointing one.

2007. HJR 23 (Naishat), supported by the LWVTX, calling for moratorium on the execution of persons convicted of capital offenses. The bill would grant the governor the power to issue an order to prohibit the Department of Criminal Justice from performing executions on or after the effective date until the order is revoked. The bill did not pass.

2011. Capital punishment has a mix of wins and losses. With the loss of a life, it is important for the criminal justice system to get it right. For the first time ever, the House Criminal Jurisprudence Committee had a hearing on capital punishment issues. The LWVTX gave testimony in support of a moratorium. The Legislature did well in adopting safeguards against wrongful convictions. HB 215, (Ellis, Gallego) sets standards for police agencies in conducting eyewitness lineups. SB 122 (Ellis) allows defendants new post conviction access to DNA evidence. HB 417 (Anchia, Ellis) extends compensation eligibility to Anthony Graves, a death-row inmate who was exonerated, but denied his compensation for wrongful conviction.

Lawmakers left important unfinished business, including reforms to record confessions of felony suspects and to ban the offer of leniency in exchange for accomplice testimony in a death penalty case. Lawmakers did not create a special commission to study wrongful convictions and capital punishment.

2015. The League of Women Voters of Texas called for a moratorium on all Texas executions while the U.S. Supreme Court considered *Glossip v. Gross*, a case involving Oklahoma's lethal injection procedure. In addition, the League called for an interim study committee of Representatives and Senators to study the issues involving the death penalty, such as: state secrecy in lethal injections, execution of the innocent, the cost of executions, the different standards being applied from one county to another resulting in the death penalty in some cases and not others for the same offense, unfair application of the death penalty to minorities, guarantees to avoid racial prejudice and economically disadvantaged as compared to other people in the population, prosecutors' roll in representing society, victims' family members' assistance, qualified defense attorneys, systems to prevent murders by mentally ill persons and those with intellectual and developmental differences, and other solutions to keep society safe and that reflect the magnificence of the State of Texas.

The proposed interim committee could have brought recommendations for potential reforms to fix the death penalty system before the 2017 legislative session and encourage all Texans to engage in a long overdue debate that the Texas death penalty deserves and to ensure that Texas has the best judicial system in the world. The study

committee would move closer to ensuring that mistakes will not be made. There is no ability to correct a mistake when somebody has, in fact, been executed while being innocent, the ultimate injustice. In addition, U.S. Department of Justice review of the death penalty, ordered after the botched Oklahoma execution of Clayton Lockett, was still underway. However, SB 1697 (Huffman) that relates to the confidentiality of certain information regarding procedures and substances used in executions passed into law and was signed by the governor. The League opposed this bill.

No matter what one thinks of the death penalty, League members care about open and transparent government and accountability of government to the citizens of Texas. Legislation should not promote government actions to be hidden, but because of SB 1697 now Texas executions can be without the public being fully informed.

Removing death penalty information about chemicals used in the execution process and procedures from public view undermines open government and creates secrecy in executions. The public has a right to obtain public information and a responsibility to oversee government actions. Transactions affecting the death penalty involve Texas paying a private entity for an item or service using taxpayer money to perform executions; yet the legislature approved withholding the procedure and substances names and provider from the taxpayers. This law allows confidentiality of any person who participates in an execution procedure, including a person who uses supplies or administers a substance during the execution and any person or entity that manufactures, compounds, prescribes, dispenses, or provides a substance or supplies used in an execution.

Transparency is a basic principle of democracy, but the law restricts transparency and access to public information. Since the State of Texas is going to continue to administer the death penalty, it is essential that the public have confidence that the state is performing state killing openly. The League position is abolition of the death penalty. Cutting public access to information will only inhibit public confidence as state killings are carried out.

There is an ongoing lawsuit on "credible threats to the supplier," but several sources and one court have questioned the existence of these threats. In addition, the U.S. Supreme Court ruled on June 29 against three death row inmates who had sought to bar the use of an execution drug they said risked causing excruciating pain. The majority of the justices, in a 5-4 vote, concluded that a disputed drug used to render condemned prisoners unconscious as the first stage in the lethal injection process works sufficiently well that it does not violate the Eighth Amendment prohibition on cruel and unusual punishment. The court challenge failed because the plaintiffs did not identify an alternative means of execution.

The U.S. has seen a number of botched executions lasting between 20 minutes to 1 hour and 57 minutes with prisoners being seen gasping for air, grimacing and convulsing during executions.

Justice Sonia Sotomayor argued that the lethal injection protocol cannot "be trusted to render and keep a condemned inmate unconscious, leaving him open to pain at the later stages." With the passage of SB 1697, the public may not be informed of the drug and the procedure used in Texas executions.

Public oversight is a part of the checks and balances to ensure good government. A 2012 study published by the *British Journal of American Legal Studies* examined 9,000 executions that had taken place in the United States from 1900 to 2010 and found that 270 executions had involved "departures from the protocol of killing someone sentenced to death" and were therefore botched. The researchers found that the lethal injection method of executing Clayton Lockett had a higher botched rate than any other method.

Numerous other bills were filed related to the death penalty that included abolition, but they did not get out of committee. HB 1527 did have a hearing. The League supported HB 53 (McClendon) that relates to the age of criminal responsibility and to certain substantive and procedural matters related to that age. The U.S. Supreme Court has ruled that children under the age of 18 cannot be executed. This bill would have codified that ruling in Texas. The bill was left in Juvenile Justice and Family Issues Committee.

The League supported HB 267 (Miles) which relates to the joint or separate prosecution of a capital felony charged against two or more defendants for a capital felony for which the state seeks the death penalty, and the court shall

order severance as to any two or more defendants who are jointly indicted or complained against for a capital felony if the state seeks the death penalty for any one of those defendants. HB 267 addresses the law of parties in criminal cases. The law of parties is a variation of the common law felony murder rule and states that a person can be criminally responsible for the actions of another if he or she aids and abets or conspires with the principal. The bill was left in Criminal Jurisprudence Committee.

The "law of parties" is clearly about conspiracy and organized crime. Four states other than Texas have law of parties statutes, but Texas is the only state that applies it in capital cases, making it the only place in the country where people can face the death penalty even though they did not actually kill the victim.

2019. This term three bills were filed to abolish the death penalty (by Reps. Ferrar and Dutton and Senator Lucio). All were never given a hearing in committee. Two bills were filed to make a person ineligible for the death penalty if a pretrial procedure determined the defendant is intellectually disabled. HB 1139 (Thompson et al) actually passed the House and Senate, but died in conference committee. No other bills relating to capital punishment procedures were given a committee hearing, except for HB 3938, relating to considering the views of a close relative in a death penalty case. We testified against this bill on the grounds that it could be abused, and it was left pending in committee.

Facts about the death penalty: Texas has the highest number of executions in the country and ranks fifth highest in the world after China, Iran, Saudi Arabia, and Iraq. Yet death penalty cases and executions have been declining in the U.S. for many years.

Death row exonerations have reached a total of 164 in the U.S. Florida has the most exonerations, and Texas is third in the U.S. with 13. Texas has 232 prisoners on death row, the third highest in the country. Texas has the highest number of executions compared to other states. The South has had the most executions compared to other regions of the country with 1219. Texas and Oklahoma have had 671 executions while the Northeast has had 4 executions. One could argue that being executed depends upon where one lives.

The number of death penalty cases is declining currently throughout the country. The trend started in 1976 with no executions in the U.S. when executions were reinstated. The number of executions rose to 98 in 1999 and has declined to 25 in 2018. The race of the defendants executed is 55.6% for White people, 34.2% for Black people, 8.5% for Hispanic people, and 1.6% for other races. The race of the victims is 76% White, 15% Black, 7% Hispanic, and 2% other races.

C. Drug Laws and Policies

2006, 2020 (See also LWVUS Position "Sentencing Policy" in Impact On Issues)

The League of Women Voters of Texas considers substance abuse and drug addiction public health issues. The League supports:

- Funding of preventive measures by all levels of government, as well as the private sector.
- Education for drug abuse prevention, including:
 - Educational programs aimed at keeping children from using drugs.
 - Public education programs directed to adults.
- Sterile needle and syringe programs to prevent blood-borne diseases.
- No criminal penalties for cannabis possession when recommended by a physician.
- Laws that include drug education and drug treatment programs as alternatives to incarceration.
- Laws that call for no penalties for possession of small amounts of cannabis.

Explanation: Drug Laws and Policies

This study was adopted at Convention 2004 as a not-recommended item. The focus was to research the history of drug laws in Texas, and to evaluate current laws and policies governing the sale and use of illegal drugs, including their effects on young people, communities of color, and medical care and public health. Additionally, the League evaluated the social and economic costs of relying on prohibition, law enforcement, and imprisonment to solve problems related to drugs, and considered possible alternatives to current policies. Consensus was completed and adopted by the board in January 2006.

Our position was reworded to include no criminal penalties for drugs when prescribed by a physician or possession of small amounts of cannabis. The amendments were passed by LWVTX Convention 2020.

History: Drug Laws and Policies

2011. Changes in policies related to substance abuse and drug addiction were not a priority during the 82^{nd} legislative session. Although bills were supported by the LWVTX and other advocates, the proposed legislation never made it out of committee. HB 117 (Jones-McClendon) contained provisions for prevention and treatment of drug addiction as a public health issue. The bill would have allowed certified community health clinics to offer, along with treatment, needle exchange programs for intravenous drug users to prevent blood-borne diseases. HB 1491 (Naishtat) offered a bill to decriminalize the possession and use of marihuana for medical use when prescribed by a licensed physician.

2013. Changes in policies related to possession and use of illegal drugs continue to be a low priority for the state legislature, as proposed bills never made it out of committee. HB 184 (Dutton) would have changed possession of one ounce or less of marihuana or synthetic cannabinoid to a class C misdemeanor. This would have allowed a judge to defer penalties for the defendant who successfully completed a drug awareness and education program approved by the Department of State Health Services. The bill was voted favorably by the Criminal Jurisprudence Committee, but was left pending at the close of the legislative session. SB 90 (Ellis) would have allowed for suspension of the defendant not convicted of a previous similar felony or other felonies to be placed under community supervision that included education and drug treatment. HB 117 (McClendon) is similar to a bill filed as far back as 2007. The bill did make it out of committee and was sent to Calendars Committee April 13, 2013. The aim of the bill was to prevent and reduce the risk of blood-borne disease. The bill would have allowed for a pilot program for anonymous exchange of needles and syringes and offer education on transmission of blood-borne diseases, assist in obtaining substance treatment services, and blood-borne testing services.

2015. There was more support by the 84th Legislature for medical use of marihuana when prescribed by a licensed physician than in previous legislative sessions. SB 339 (Eltife) passed and was signed by the governor, allowing for the dispensing of low-THC cannabis by a licensed organization. Though this is a limited victory for allowing the use of marihuana for medical purposes, it will benefit children with intractable epilepsy. Three other bills supported by the LWVTX introduced failed relating to the use of marihuana for medical purposes when prescribed by a licensed physician. One bill HB 892 (Klick/Zerwas/Zedler) was voted favorably out of committee and made it to the general calendar, but did not come up for a floor vote. Bills HB 3785 (Marquez), HB 837 (Naishtat), and SB 1839 (Menendez) were left pending in committee. Testimony supporting HB 837 and HB 3785 was given in a House Public Health Committee hearing by the LWVTX.

Two bill introduced did address lowering the civil penalty for certain amounts of marihuana. Bill HB 507 (Moody) related to reducing the civil penalty for possession of certain amounts of marihuana and gained some traction as it was voted favorably out of committee. The bill allowed the court to waive or reduce civil penalty if the person attends a program that provides education for substance abuse. The LWVTX gave testimony at a hearing by the House Criminal Jurisprudence Committee supporting HB 507. The bill was placed on the general calendar, but did not come up for a vote. A companion bill SB 1417 (Ellis) failed to make out of committee for consideration.

2017. The Texas 85th Legislative Session started out with a note of optimism and support favoring bills related to drug laws and policies. Two of the four bills tracked by the League did receive hearings and came close to a vote out of the House. Despite the failure for passage of the bills related to drug laws and policies, the show of support is encouraging for passage of similar bills in future legislative sessions.

HB 81 (Moody/Issac/Dutton), supported by the League, was to reduce civil penalties for possession of small amounts of marijuana. The bill was voted favorably out of the committee. The LWVTX provided testimony in favor other the bill. HB 81 received strong support, but missed the deadline for a vote to be sent to the Senate.

HB 2107 (Lucio/White/Simmons/Sheffield), supported by the League, allowed use of medical cannabis when recommended by a licensed medical provider. In late April the bill gained traction when constituents went to the

Capitol to meet with legislators, taking personal stories urging support of using cannabis for certain medical conditions. The committee held a hearing, and the LWVTX provided testimony in support. The bill was voted favorably out of committee and coauthored by almost half of the House of Representatives, but failed to be placed on the calendar for a vote.

Companion bills SB 170 and SB 269 languished in their respective committees. The Marijuana Project of Texas, an affiliate of the League, served as a reference and provided information on the status on the bills related to use of medical marijuana and a reduction of penalties for small amounts of marijuana.

2019. There was increased support among state legislators for access and use of marihuana for medical use and to reduce the penalties for possession of small amounts of marihuana.

HB 3703 (Klick et al) passed, was signed by the governor and will become law. The bill allows for medical use of low THC cannabis, 0.5 percent, when prescribed by any qualified physician. Use is limited to patients with a diagnosis of epilepsy, multiple sclerosis, spasticity, amyotrophic lateral sclerosis, incurable neurodegenerative disease, terminal cancer and autism. Despite the disappointment in limiting the medical use of cannabis, this bill may benefit individuals by having access to an alternative treatment.

Other bills relating to medical use of marihuana, supported by LWVTX, were HB 209 (Reynolds), and SB 90 (Menendez). Neither got out of committee.

HB 63 (Moody), to reduce penalties for possession of a small amount marihuana, failed. The bill passed the House, but although there was support by most members of the Senate for passage, the bill was blocked by the leadership to bring the bill forward for a vote. Passage of this bill would have reduced the penalty for possession of one ounce of marihuana to a class C misdemeanor, same as a traffic ticket.

Other bills reducing penalties, supported by LWVTX, were HB 335 (Dutton), HB 371 (Allen) HB 753 (Wu), HB 1206 (Cole), and HB 2518 (Toth). All these bills received hearings in the Criminal Jurisprudence Committee, but only HB 335 was voted favorably out of committee. It missed the deadline for a vote by the House.

D. Immigration

1996, 2021 (See also LWVUS Position "Immigration" in Impact On Issues)

The League of Women Voters of Texas recognizes that immigrants bring diversity and enrichment to our state. The humane and ethical treatment of immigrants at our borders is an essential part of our country's rule of law and the development of new residents and citizens.

The League supports the following:

- If children and adults are detained pending an immigration hearing, families are not separated, and children should remain with parents or guardians.
- The facility should provide medical care, a healthy diet, and sanitary living conditions.
- All immigrants, whether they are children or adults, should be provided with an attorney prior to appearing in Immigration court. Legal representation is vital to ensure due process of the law.
- Racial profiling should not be used to stop or hold immigrants or residents due to their appearance, speaking a language other than English, nor should there be an assumption of criminality concerning these issues.

The League of Women Voters of Texas recognizes that cultural diversity is a source of strength.

The League of Women Voters of Texas supports economic assistance to those areas of the state disproportionately impacted by immigration. This funding should come primarily from federal, state, and private sources such as corporations, churches, businesses, and foundations. Local assistance is also appropriate.

The League believes that the state should:

- Encourage and fund English as a second language and other assimilation subjects for adult immigrants.
- Encourage bilingual information signs in public places where needed.
- Require and fund international symbols for all traffic signs.

The League believes the state should support local agencies and groups working with the immigrant population. State support is absolutely necessary for:

- Language fluency for children.
- Emergency health care (including obstetrical delivery).

Additionally, the state should support:

- Language fluency education for adults.
- Administration of criminal justice programs.
- Assimilation programs.
- Housing programs.
- Job training and placement for immigrants.

The League believes that the state should provide additional assistance to school districts heavily impacted by immigration for:

- Staff training.
- Instructional materials.
- Salaries for special skills teachers and aides.
- Facility construction.
- Curriculum development.

The League supports the establishment and utilization of an electronic system to verify immigration status. This system should include measures that will protect privacy and ensure accuracy. The system should be made available to:

- Employers.
- Social service providers.
- Housing agencies.
- Criminal justice system.

The League supports the mandated compilation of statistics regarding immigrants' use of state services.

Explanation: Immigration

Reflecting a widespread interest in the subject, the LWVTX board recommended and delegates to Convention 1995 voted to study immigration issues in Texas. A study committee produced Facts & Issues: Immigration, An American Paradox, which was distributed to League members, government officials and agencies, and other interested groups and individuals. Consensus was reached in the fall of 1996, and the state board approved the new position in November of that year. See the LWVUS Immigration Update 2008 at the end of this publication.

History: Immigration

1997. Because immigration is largely regulated by federal law, few bills relating to immigration were introduced during the 75th Legislature, and no League action was taken. However, one of the League's legislative priorities in 1997, fair and adequate funding and delivery of vital state services in the era of block grants, encompassed the needs of all low-income persons, immigrants as well as nonimmigrants.

2001. Changes in federal law in 1996 and partial restoration of federal food stamps in 1998 still left many legal immigrants in Texas ineligible for food assistance. The League supported legislation to alleviate these hardships by requiring the Texas Department of Human Services to develop and implement a food assistance program.

2007. The immigration issue generated much sound and fury during the 80th Legislative session, but none of three bills supported by the LWVTX passed. HB 28 (Berman) would have excluded state services to children born in this state to parents who are not citizens or nationals of the U.S., and who have entered the U.S. without inspection and authorization of an immigration officer. The bill died in committee. HRC 11 (Solomon) would have directed the office of the Attorney General of Texas to pursue all available remedies to demand the enforcement of all existing federal immigration laws and to recover any money owed Texas by the federal government for costs incurred by the state in dealing with illegal immigration. SB 151 (Shapleigh) would have prohibited discrimination relating to immigration status or nationality of a person needing or receiving emergency medical care.

2009. The 81st Texas Legislature did provide a few minor affirmative measures such as allowing children to be absent from school if they are involved in an immigration court hearing and providing services and protection to victims of human trafficking. However, of the more than 100 immigration bills filed, more than 60 were anti-immigrant. One questionable bill that did pass was a measure that would provide deportation for those convicted of a misdemeanor involving family violence. According to the Progressive States Network, the anti-immigration movement failed in most states, and Texas was rated as a somewhat integrated state.

2011. The 82nd Session saw several proposed bills regarding immigration. The main thrust behind each was to implement the governor's objective to enable all law enforcement agencies across the state to verify the legal status of anyone legally detained. This included increased use of the federal electronic verification system. The LWVTX opposed all of the proposed immigration bills, basically because immigration is a federal issue. The LWVTX supports federal laws providing an efficient, expeditious system for legal entry into the U.S. None of the proposed bills were successful in the regular session.

2017. The 85th Legislative Session has been the most divisive session in recent history for immigration with the passage of SB 4 overshadowing the issue. SB 4 aims to outlaw "sanctuary cities" by requiring local police to cooperate with federal immigration authorities and allowing police to inquire about the immigration status of people they lawfully detain. Law enforcement from across the state provided testimony arguing that the law would make our state unsafe and that cities and counties were unable to bear the additional cost of enforcing the law.

Witnesses testified that the law would bring fear into our communities, making people fearful of contacting police, the fear of police profiling in a state that has a large Hispanic community, and the fear that families would be torn apart. The Senate and House both passed this bill, which the governor signed.

The passage of this bill has spurred numerous lawsuits from municipalities across the state from El Cenito (a small border town) to San Antonio (a large metropolitan city) and civil rights organizations. The legislation has spurred many protests in the state and at the Capitol. It has created an environment of fear and contempt that culminated in a near fight in the House.

The only real immigration bright spot this session was that the House let SB 1018, dubbed the "Baby jail" bill die in committee. The Senate bill would have given the Texas Department of Family and Protective Services the ability to license detention centers as day care centers.

2019. Of all the bills we followed and supported, only three bills were given a hearing, and they all were left pending (State Affairs, April 17).

HB 35 (Romero, Jr.) would provide conditional driver's permits and conditional instruction permits to residents who are ineligible to have a Social Security number. The ability to be licensed to drive in the state would ensure that drivers met the requirements of taking and passing driver tests and be required to have insurance. This would ensure that our streets would be safer due to having licensed and insured drivers on our roadways.

HB 652 (Neave) would remove the requirement that officials cooperate with Federal immigration officers in the event of an incident occurring in a domestic violence shelter or a church. It would ensure those who are seeking help would not be threatened by the possibility of being deported.

HB 2266 (Anchia) would essentially do away with SB 4. SB 4 became law in 2017 after being hotly debated in the State Senate and was overwhelming opposed by law enforcement, local public officials and private citizens who feared that the new law would lead to police profiling, victims unwilling to call the police and public officials who did not want their law enforcement to become an arm of ICE.

It is disappointing that these important bills, dealing with how the state addresses children, domestic violence victims, the sanctuary of churches, hospitals and domestic violence centers, were left unaddressed. Other bills that dealt with the detention of children were not given a hearing (HB 3664, HB 4141, HB 1765). Two bills that would have repealed

in-state tuition for undocumented students who arrived here as children, which we would have opposed, also were not given a hearing.

A review/update of the Immigration position was submitted during Program Planning and voted by the delegates to Convention 2020.

E. Juvenile Justice

1977, 1994, 2018

The League of Women Voters of Texas supports an effective state juvenile justice system and programs and policies to prevent juvenile violence and crime. We support the following:

- An adequate level of state funding for the juvenile justice system and for addressing the problem of juvenile crime; in allocating state funds for these purposes, highest priority should be given to prevention, followed by intervention and then corrections; funding responsibility should be shared by city and county governments, school districts, and private sources.
- Juveniles are those under the age of 18 at the time of the offense.
- Rehabilitation as the main goal of the juvenile justice system, with every juvenile committed to the Texas Youth Commission having access to adequate and appropriate rehabilitation services and programs.
- Coordination of information and services between social service agencies and the juvenile justice system.
- Adequate access to juvenile records by law enforcement agencies.
- The minimum age for adult certification of juvenile offenders should not be lower than 15.
- Strict regulation of possession of firearms by juveniles; adults who furnish illegal firearms to juveniles should be held criminally liable.

If boot camps are used as a correctional measure, they should:

- Feature careful preplacement screening.
- Be limited to nonviolent offenders.
- Provide for parental involvement when appropriate.
- Include programs that build self-esteem.
- Be nonabusive.
- Emphasize rehabilitation.
- Provide meaningful tasks for the juveniles.
- Provide for follow-up.

Cultural bias in the juvenile justice system should be addressed through:

- Review and revision of juvenile justice system policies and practices that may have a discriminatory effect.
- Increased access to competent legal counsel.
- Early access to prevention/intervention programs.
- Cultural awareness training for juvenile justice professionals.

A comprehensive juvenile violence and delinquency prevention strategy should include, but not be limited to:

- Self-esteem enhancement/development.
- Classes in parenting skills/family relations.
- Quality childcare programs.
- Opportunities for healthy bonding with an individual or group.
- Classes in alternatives to violence as a means of resolving disputes.
- Drug education programs.
- Sexuality education.
- Gang prevention programs.

The state should require schools to provide alternative education programs for students with severe behavioral problems. The state should encourage schools to:

- Teach alternatives to violence.
- Provide alternative education programs for truants and other at-risk students.

Explanation: Juvenile Justice

Delegates to Convention 1993 voted to restudy the juvenile justice system in Texas and to look into the problem of juvenile violence as well. Facts & Issues: Juvenile Violence and the Juvenile Justice System in Texas, was produced by the study committee and circulated to all members, selected government officials and agencies, and other interested groups and individuals. Consensus was reached in the fall of 1994, and the state board approved the new position in November of that year. The current position replaces the former juvenile justice position that had been adopted in 1977. In January 2018 the LWVTX board voted to amend the position by adding a definition that "juveniles are those less than 18 years old at the time of the offense" (to align with the U.S. Supreme Court ruling Roper v. Simmons, 543 U.S. 551, 2005) and delete that "juvenile offenders under age 10 may be referred to the juvenile justice system."

History: Juvenile Justice

1995. During the 1995 Legislative Session, juvenile violence and the juvenile justice system was a priority issue for the LWVTX. An advocacy paper, "Juvenile Crime: Strategies to Stem the Rising Tide," was published and circulated to all legislators and other elected and appointed officials, as well as to interested members. The League's interest in juvenile crime proved most timely. Legislators and the governor, as well as many other citizens statewide, shared the conviction that this pervasive problem must be addressed with fresh initiatives.

League-supported portions of the enacted bill include: first offender program to allow nonfelony juvenile offenders to be processed outside the juvenile court; early intervention services for juveniles as young as seven; a progressive sanctions model (though not fully funded) that ensures juveniles face uniformly consistent consequences that correspond to the seriousness of their offenses; funds for additional probation officers and for construction of post adjudication intermediate sanction facilities. The League also lobbied successfully for a new law that limits children's access to readily dischargeable firearms. Although a League-supported measure geared to prevention programs in early childhood failed passage, several prevention programs were successfully attached to other bills.

2007. SB103, a comprehensive reform bill for the Texas Youth Commission (TYC) was signed by the governor and became law. Major points of the bill are:

- Only children committing felonies may be sentenced to a TYC facility.
- Establishes a feasibility study of a regional structure for TYC with smaller, local facilities conforming to needs of an area.
- Establishes the office of Executive Commissioner and Advisory Board for TYC.
- Establishes authority of a state auditor to review financial transactions of Commission an internal audit procedure, reporting to legislative committees.
- Provides for criminal background checks for potential TYC employees.
- Allows advocacy and support groups to provide on-site services at TYC facilities.
- Establishes the Office of Inspector General to investigate fraud.
- Establishes the Office of Ombudsman to evaluate services to youth and review complaints.
- Restrict placement of minors under 15 years to dorms for youths 16 years and younger.
- Develops and distributes a Parents Bill of Rights.
- Assigns a caseworker to each child committed to a TYC facility.
- Establishment of a zero-tolerance policy regarding of sexual abuse of inmates.
- Allows equal access to TYC facilities for female officers.
- Will offer rehabilitation programs recommended by the adjudicating judge.

F. Spousal Sexual Assault

1982, 1987, 2010

The League of Women Voters of Texas supports Texas laws that provide that sexual intercourse or deviant sexual intercourse with one's spouse without the consent of that spouse is a criminal offense punishable on the same basis as rape or sexual abuse of any other person.

Explanation: Spousal Sexual Assault

A study of spousal rape was adopted in 1981 and the position was adopted in 1982. The spousal rape position was studied by the 1995-97 Periodic Program Review Committee, which modified the original position to reflect a law

passed in 1993 that eliminated marital rape exemptions. Although the original position has been achieved, it was retained to allow the League to advocate against possible future attempts to reinstate the old law. Retaining the position also allows local Leagues to support police department and district attorney efforts to prosecute accused rapists diligently, regardless of the marital status of the parties. Convention 2003 requested that the LWVTX develop a publication with updated information on this position. At Convention 2010 delegates voted to change the position name to Spousal Sexual Assault to conform to language in the current criminal code and statutes.

History: Spousal Sexual Assault

1980s. The LWVTX supported successful bills making sexual assault of a spouse illegal where the married persons lived apart or had filed for divorce. New laws were enacted, defining crimes of sexual assault committed by a spouse. These measures required a showing of bodily injury or threat of bodily injury for criminal prosecution against a spouse.

1994. The 73rd Session of the Texas Legislature passed a law mandating that all sexual assault victims be treated equally and eliminating all marital rape exemptions.

2004. Written information for members about the League position on spousal rape and the status of current law regarding the subject appeared in the Spring 2004 *Texas Voter*.

G. Trafficking of Persons

2014 (See also LWVUS Position "Human Trafficking" in Impact On Issues)

The League of Women Voters of Texas is opposed to all forms of domestic and international human trafficking of adults and children, including sex trafficking and labor trafficking. We consider human trafficking to be a form of modern-day slavery and support measures to prevent the use of force, fraud or coercion to exploit a person for sexual or labor purposes, to prosecute traffickers and to protect victims.

Federal, state and local governments should collaborate to fund and implement effective strategies for prosecution, including but not limited to:

- Enact and enforce effective laws against traffickers.
- Require human trafficking training for law enforcement officers and prosecutors.
- Maintain and share reliable trafficking data among all levels of government and with nongovernmental organizations (NGOs).
- Put convicted sex traffickers of children on the National Sex Offender Registry list.
- Enforce civil and criminal penalties against persons who knowingly buy services provided as a result of human trafficking, or buy services from a minor, including mandated awareness training.
- Enact and enforce laws at the appropriate level to shut down businesses that engage in or allow human trafficking.
- Divert victims of human trafficking into justice and rescue programs that provide access to services such as counseling and job training.
- Assume all minors are victims, no proof of coercion required.

Federal, state and local governments, in cooperation with nongovernmental agencies, should fund and provide essential services to and remedies for victims and survivors, including but not limited to:

- Legal aid, translations and other court-related services.
- Services to shelter victims from their traffickers and help them return to a normal life, such as housing, medical, counseling, job training.
- Ability to sue the trafficker for civil damages.
- Defined roles for child welfare system and juvenile justice system in assisting trafficked minors.
- Guardianship, protective custody and safe houses for trafficked minors when home situation would put the minor at risk.

Federal, state and local governments, in cooperation with nongovernmental agencies, should fund and provide education and awareness programs on human trafficking in our communities and schools, including but not limited to:

- Training to identify and assist victims or potential victims of human trafficking, for all persons who might come into contact with them, such as medical professionals, law enforcement and prosecution personnel, educators at all levels, mental health professionals, city health inspectors, hotel owners and others.
- Internet safety education for youth, parents and teachers.
- Services and outreach for homeless, throwaway youth and other at-risk populations.

Explanation: Trafficking of Persons

A study of Human Trafficking in Texas was adopted at Convention 2012. A study committee produced Facts & Issues: Human Trafficking in Texas, and local Leagues held consensus meetings in the fall of 2013. The LWVTX board adopted the new position in 2014 based on local League consensus. In 2020, the LWVTX board updated the name to Trafficking of Persons.

History: Trafficking of Persons

2017. In several ways we made progress in this Legislative Session for awareness of and laws to address human trafficking in Texas. We have three bills that passed both the House and Senate unanimously, thus bipartisan support.

Bills signed by the governor.

• A law that requires successful completing of a training course in recognition and prevention of human trafficking by applicants for a commercial drivers license.

- A law relating to the development of instructional material for public schools on the prevention of sexual abuse and sex trafficking.
- A law with recommendations to improve the Office of Attorney General Human Trafficking Taskforce.

Bills not passed.

- A bill to mandate signs required to be posted in the restrooms of sexually oriented businesses with the National Human Trafficking Hotline phone number and text number. (We will seek to have such warning and information signs in all public restrooms, particularly in restaurants, bars, airports, public sports facilities, etc.)
- A bill related to continuing education requirements regarding human trafficking for cosmetology license holders and establishments.
- A bill related to judicial proceedings on a petition to set aside a conviction or an order of expunction of criminal history record information for certain victims of trafficking of persons or compelling prostitution who are convicted of prostitution.
- A bill to require registration as a sex offender of certain defendants convicted of the offense of continuous trafficking of persons.

2019. At least three bills related to trafficking of persons passed the legislature and were sent to the Governor. One bill, HB 72 (Nelson), establishes the Human Trafficking Prevention Coordinating Council in the office of the Attorney General, to develop and implement a five-year plan for preventing human trafficking in the state, and to submit the plan to the legislature. Another bill, SB 1219 (Avarado), requires the of signs regarding services and assistance for victims in transportation hubs such as airports, train stations, bus stops, rest stops, etc. Both were signed by the governor. Senator Alvarado asked for our help on this bill, so I asked a trafficking survivor to testify at the House committee hearing.

A third bill passed but was vetoed. HB 3078 (Thompson) would have established a review panel under the Board of Pardons and Paroles, which would have considered clemency applications from persons who committed offenses under duress or coercion as a result of being a victim of human trafficking or family violence. The governor's veto statement said that this bill would "add a thick layer of bureaucracy...and is not the way to help victims of human trafficking."

One other bill, HB 467 (Hernandez), relating to sexual assault and domestic violence training for Cosmetology license holders, passed the House but did not get a hearing in the Senate.

In January 2020 the LWVTX board voted to change the name of the position to Trafficking of Persons, in response to a request by the Issue Chair.

H. Payday & Auto Title Loans in Texas

2013

The League of Women Voters of Texas supports policies, legislation, and programs that enable a small dollar loan market that maintains access to affordable credit while safeguarding consumers. Payday and auto title loan businesses should be regulated so that they function both as a consumer service and a successful business.

The League believes that a loan is affordable if the borrower can repay the loan and cover basic expenses without borrowing again or obtaining money from another source. Local governments should be able to regulate payday and auto title lending within their jurisdictions in order to achieve a viable small dollar loan market that provides consumer access to affordable credit and safeguards against predatory lending. Criminal charges and penalties for payday and auto title loans in default should continue to be explicitly prohibited by Texas law. The League supports:

- Consumer credit regulations that increase restrictions on short-term loans and require lenders to offer affordable loans.
- Financial education measures that increase the ability of consumers to successfully use small dollar loan financial products, and
- State and private funding of measures to prevent long-term debt by borrowers in need of immediate cash.

Explanation: Payday & Auto Title Loans in Texas

Delegates to Convention 2014 adopted a study, "Payday and Auto Title Loans in Texas," reflecting intense scrutiny of payday and auto title loans at all levels of government and widespread discussion in the community and media that made it a compelling public policy issue. The study focused on current regulations of payday and auto tile lenders in Texas, the accessibility and impact of these loans in the community, and options for small dollar loans for persons in need of immediate cash. A committee comprised of six League members from across the state conducted the study and produced Facts & Issues: Payday & Auto Title Loans in Texas. The report was published on the state League website and distributed electronically to League members. Print copies were provided to Texas state office holders, major donor, and other interested groups and individuals. Following numerous public forums and League consensus meetings across the state during fall 2015, a consensus was reached based on analysis of individual League consensus reports. The LWVTX Board of Directors adopted the new position January 2016.

History: Payday & Auto Title Loans in Texas

2017. During the regular session of the 85th Texas Legislature, a few payday and auto title lending bills made it out of committee in both chambers, but none made it to the floor. However, Representative Craddick offered an amendment to SB 2065 what would enact the unified payday/auto title ordinance at the state level (a model local ordinance originated by the Texas Municipal League). However Representative Capriglione offered an amendment to the amendment that would preempt local payday/auto title lending ordinances. While we have heard that a few legislators were confused with the vote, the vote shows us the stance of most representatives on this issue. In the end, the bill failed, and the local ordinances stayed intact.

Note. As of January 2018, 41 cities have enacted "business regulations" over payday lenders that are similar to the example ordinance available from the Texas Municipal League. Also sixteen cities have enacted land use regulations related to payday and auto title lending.

2019. During the 86th legislative session, there were multiple efforts (through both filed bills and amendments proposed from the floor) to eliminate the uniform payday and auto-title lending ordinance which has been adopted by 44 Texas cities. SB 1209, HB 3899, and HB 2847 would have preempted the payday and auto-title lending ordinance, yet these bills either did not pass or advocates were able to work with the bill author to explicitly exclude the payday and auto-title loan ordinance.

Additionally, HB 1442, passed and renewed the Office of Consumer Credit Commissioner – which is the state agency that oversees the regulation of Credit Access Businesses (CAB or payday and auto-title lenders). This bill also extended the OCCC's authorization to include online lending, which is a win.

2021. Our top priority this session was to uphold current protections for consumers by supporting local payday and auto title loan ordinances (adopted in 46 Texas cities) and maintaining existing rate and fee caps for consumer loans. The House Pensions, Investments & Financial Services Committee gave a hearing to consumer loan bills, but unfortunately no meaningful bills were voted out of Committee. Throughout the session, advocates stopped bills and potential amendments which would have pre-empted local ordinances, and would have included payday and auto-title loan ordinances. Thankfully, none of these passed.

III. Social Policy/Human Resources

A. Child Abuse & Neglect

1990, 1995, 2009 (See also LWVUS position "Early Intervention for Children At Risk in *Impact On Issues*)

The League of Women Voters of Texas supports the development and implementation of adequate legislation, policies, services, and programs to protect children from abuse and neglect. Measures the League supports include, but are not limited to the following:

- Adequate funding from governmental and private sources to provide appropriately trained staff and uniform statewide availability and accessibility of effective services and programs.
- Provision by the responsible state and local agencies for varied and sufficient services to ensure the protection of children.
- Development and implementation of programs to prevent child abuse and neglect.
- Mandatory, uniform, and ongoing training in recognizing and reporting physical and behavioral indicators of child abuse and neglect for persons responsible for the safety and welfare of children, such as law enforcement officers, judges and probation officers, educators, child-care givers, and medical personnel.
- Availability and enforcement of measures, including protective orders, for the removal of the abuser from home when appropriate.
- Stringent correctional measures for persons who abuse or neglect children, including mandatory specialized treatment and counseling as well as appropriate enhancements for repeated offenses.

Explanation: Child Abuse & Neglect

Delegates at Convention 1989 adopted a novel plan regarding this issue. After the LWV of the Houston Area completed a local study of child abuse and neglect and adopted its local position, the LWVTX board narrowed the scope of the position statement so that it was appropriate for a statewide concurrence process. The narrowed position statement and a publication (*Focus*) adapted and edited by the LWVTX board from LWV of the Houston Area *Facts & Issues* was subsequently made available to participating members statewide. After careful evaluation of resulting concurrence data, the LWVTX board adopted the state League position in June 1990.

During the Periodic Program Review process in 1993-95, wording changes that enhance format consistency and reflect changed circumstances were suggested by the Periodic Program Review Committee and received final approval at the 1995 Convention. A substantive addition to the position was also approved: support for stringent correctional measures for persons who abuse or neglect children, including mandatory specialized treatment and counseling, as well as enhancement for repeated offenses. The reworded position is set forth above. In Statewide Conference 2009 delegates voted to drop our position's limitation to abuse "in their families and homes" so that we could support bills that would reform the Texas Youth Commission.

History: Child Abuse & Neglect

1990-95. During this period, the League supported its child abuse and neglect positions through membership in the Texas Council on Family Violence. In 1995 we supported a measure that rededicated monies paid to the Children's Trust Fund of Texas directly into the agency's operating funds, thus establishing an improved, more direct method for the Children's Trust Fund of Texas to provide funds to communities for local abuse prevention programs.

1999. During the legislative session, funding to Child Protective Services (CPS) was increased significantly. Foster care received a 7% increase. Two hundred-twenty new CPS staff that had been authorized by was augmented by an additional 160 caseworkers in order to lower caseloads and to improve the effectiveness of child abuse investigations.

2003. During this legislative session Child Protective Services was reorganized and will continue to be impacted as the result of a huge human services reconsolidation law. Several prevention programs lost funding in the Texas Department of Protective and Regulatory Services, including Big Brothers/Big Sisters, Healthy Families, Family Outreach, and the Children's Trust Fund.

2005. Although the LWVTX did not set a priority for this issue, reform of Child Protective Services was an important aspect of this session for legislators. The omnibus bill relating to child abuse, as passed and signed by the governor, decreases worker case loads, strengthens ties between Child Protective Services and law enforcement, and provides other protections for children. A last minute attempt to ban gay foster parenting was ultimately unsuccessful. The bill does institute privatization of services for children over the next 6 years, beginning with one region. In the budget battles, Child Protective Services received a 12% increase in funding (state and federal), which will be used to reduce caseloads.

2009. Three bills supported by the League were passed and signed by Governor Perry. SB 1646 (Van de Putte) created a Council of Children and Families. SB 2080 (Uresti) created a Task Force whose task would be to form a strategy for reducing child abuse and neglect and improving child welfare, including providing assistance for adoptive parents and foster care parents. HB 1041 (Parker) related to school districts policies on addressing sexual abuse and established a state agency to reduce child abuse and neglect and to improve child welfare. In addition, the overall budget of CPS received a 8.1% increase over 2008-09 general revenue expenditures including funding for an additional 118.6 Family Based Safety Services Staff to increase face-to-face contact with children and their parents, therapy for abused children, treatment and other services for parents/families, an increase in foster care services, and funds to strengthen services to youth transitioning from foster care.

2011. There was some success in this area with the passage of six bills supported by the LWVTX. These included bills by Senators Nelson, Uresti, and West that related to the operation of child protective services and the foster care system, mental health services for children in foster care, and the establishment of a task force to study the relationship between domestic violence and child abuse. Also school districts are required to expand their policies to include all types of abuse and to require training of new staff.

2013. With the passage of two bills supported by the LWVTX, progress was made on recognition and reporting of child abuse and penalties for not reporting it: SB 939 (West) related to training to recognize child abuse in schools and reporting it. HB 1205 (Parker, Raymond, Zerwas, Fallon) related to the offense of failure to report abuse or neglect of a child in schools or institutes of higher learning.

Other bills also supported by the LWVTX passed: SB 44 (Zaffirini, West) provided mental health services in certain child abuse or neglect cases. SB 66 (Nelson) related to studying the causes of and made recommendations for reducing child fatalities, including those from abuse or neglect. SB 245 (West) related to eligibility of children's advocacy centers to provide services for children and family members in cases of child abuse and neglect. SB 1758 (Uresti) established a task force to examine hiring and management practices of the Department of Family and Protective Services. HB 1228 (Dukes) related to consideration by the court of sex abuse and conduct that constitutes sexual assault in certain suits affecting the parent-child relationship.

2017. Overall the 85th Texas Legislature has been a very productive session for child protection with significant investments made in the Child Protective Services workforce to reduce turnover, increases in foster care rates to address capacity, some prevention funding, and support for children who age out of foster care. Several major bills that the League supported made it through the process. A recap of some of the bills tracked follows.

2019. The 86th Texas Legislature lost the previous session's focus on the Texas Department of Family and Protective Service and child protection. Fortunately, a few bills were passed that continue to improve services provided to abused children.

Now schools, courts and colleges are required to consider the child's situation when disciplining or in the civil/criminal court system. The Texas Children's Commission must develop guidelines for judges for greater uniformity in handling CPS cases involving children with mental illness and the placement and termination of parental rights. Texas will provide additional services for foster youth who age out of the system to encourage success as a young adult. And lawmakers will have better data on foster youth in the juvenile justice system, with specific reporting requirements to enable development and implementation of programs to prevent foster youth from entering the criminal justice system.

Lawmakers recognized the importance of stability in a child's life by strengthening the possibility of kinship placement. Now, the Department and Courts may consider as a caregiver a person who has a longstanding and significant relationship with the child's family. Courts are required to ask the child and the parent(s) about the identity of someone who may be considered as a caregiver in lieu of placement in the foster system. Children will also be heard, as judges must ask them about relationships in their lives at each permanency hearing. And Courts are now required to educate kinship caregivers of ways to receive additional resources to help them provide for the placed children.

Pregnant and parenting foster youth were not forgotten and will receive information about ways to keep their own child(ren) safe and promote healthy attachment, child development, and maternal health if they cannot or do not participate in Project Helping through Intervention and Prevention (HIP) (a voluntary program). Schools will have more responsibilities as well to help abused children through mandatory training for public school employees to address prevention of sexual abuse, sex trafficking and other maltreatment of children. Additional trauma-informed approaches will be integrated into schools, but more needs to be done to prevent Adverse Childhood Experiences ("ACE") and develop services to assist children to heal. H.B. 4183, which did not pass, would have implemented a statewide collaborative effort for communities and resources to address ACE. Funding is always an issue for the state when providing protection for children. This lack of focus of lawmakers included feeble attempts to meet the upcoming federal Family First Prevention Act funding deadlines. Fortunately, S.B. 355 passed which calls for the Department to develop a strategic plan for implementing previous programs in order to comply with FFPA.

The League issued six Action Alerts on Medicaid expansion and additional months of Medicaid coverage for children. These alerts were among the most popular with our members and supporters, generating more then 13,500 emails to legislators. However only one of the bills, HB 744 giving 12 months of Medicaid coverage for new mothers, passed the House but was not voted on by the Senate.

2021. Two key issues—racial disparity and foster care reform—should have garnered more action from the 87th Texas Legislature. This session, while passing some good bills, left many opportunities in committee.

A prime example are SB 75 and HB 155 (identical bills) which LWVTX supported. These bills never received public hearings. Sponsors attempted to address the continuous need to collect information regarding the racial disparities in child welfare cases handled by the Texas Department of Family and Protective Services. The Department acknowledges racial disparities (unequal or different opportunities provided to a group in comparison to another group) and disproportionality continues in the system.

Prior to the start of the legislative session, federal court monitors found the Texas foster care system was still dangerous to children and a federal judge held lawmakers in contempt for repeated failure to protect children in foster care. The pandemic only increased the risk of neglect and abuse. After monitoring the bills that did pass during this session, it appears legislators are putting great faith in private residential programs which could be problematic in the future.

With the Family First Prevention Services Act (FFPSA) funding, Texas has the opportunity to prevent children from entering foster care. SB 1575, supported by LWVTX, becomes law on September 1, 2021. It not only codifies the judicial review of placements under FFPSA, the bill includes a required study of "best practice" for residential treatment center placements.

SB 1628, supported by LWVTX, would have created a Foster Care Ombudsman to hear complaints from foster care providers and be independent of DFPS. SB 1628 made it through the Senate and House committees but did not receive a vote in the House.

LWVTX supported HB 566 which will become law on September 1, 2021. Lawmakers recognized that the most prevalent inadequacy in the child welfare system is the lack of education for recognizing and distinguishing the behaviors that children exhibit due to trauma. Attorneys involved in DFPS cases will now be required to complete a training program on trauma-informed care and the effect of trauma on children in the conservatorship of the DFPS.

Unfortunately, the legislature once again failed to advance strategic plans regarding adverse childhood experiences ("ACE") so DFPS can improve the effectiveness and delivery of prevention and early intervention services. LWVTX continues to support this ongoing effort to acknowledge and learn about the effects of ACE on children and adults. HB 3493 was placed on the General State Calendar but failed to pass.

LWVTX also supported the vision of SB 1079. This bill required DPS to publish monthly reports regarding the child welfare system in an effort to assist local communities and agencies to minimize neglect and abuse of children in

foster care. While SB 1079 made it through both the Senate and House committees, it did not receive a vote on the House floor.

B. Child Support Enforcement

1983, 1987, 1997

The League of Women Voters of Texas supports equitable and efficient means of enforcing court orders for child support.

Explanation: Child Support Enforcement

The LWVTX adopted this position in 1983, after member study and concurrence. The League lobbied statewide in support of a proposition amending the Texas constitution to provide garnishment of wages for enforcement of court orders for child support. After passage of the proposition in November 1983, the League dropped the position at Convention 1985, believing its goal had been achieved. However enforcement of court orders for child support payments continued to be a significant statewide problem, and delegates voted to reactivate the position at Convention 1987.

History: Child Support Enforcement

1991-93: In the 1991 and 1993 Legislative Sessions, League efforts contributed to passage of bills to bring Texas into compliance with federal guidelines for income withholding, to improve insurance protection for children, and to facilitate procedures for establishing paternity.

An especially important 1993 bill provides the requisite authorization for Texas to develop and implement procedures to enforce child support obligations under the provisions of the federal Child Support Recovery Act of 1992, the "Deadbeat Parents Act". The federal law provides for interstate enforcement of child support orders and makes it a federal offense with a criminal penalty to willfully fail to pay past due support obligations for a child residing in another state.

1995. Passage of a measure providing for suspension of professional and recreational licenses for those delinquent in paying child support was another victory for the League and other proponents of effective means of enforcing support orders. Despite recent progress, much more remains to be accomplished under this position. Children in single-parent households still comprise the fastest category of persons living in poverty in Texas today. Many live in poverty because only one parent sustains them, while court orders for their support are ignored and unenforced. The Periodic Program Review Committee studied the Child Support Enforcement position in the 1995-97 biennium. Despite recent more stringent enforcement legislation, the committee recognized that in this area the law is far from perfect and recommended no change in this position.

C. Early Childhood

1990, 1995, 2009 (See also LWVUS position "Child Care" in Impact On Issues)

The League of Women Voters of Texas supports policies, legislation, and programs that address the needs of all Texas children and families for accessible, affordable, and quality childcare.

The League believes that all children in childcare are entitled to a safe, nurturing environment and developmentally appropriate activities. Caring for children is a societal as well as a family responsibility and the state should play a role in meeting childcare needs. The League supports the development, adoption, and implementation of a comprehensive state childcare policy that includes, but is not limited to:

- Programs designed to provide an adequate supply of accessible childcare.
- Access to information that will help families recognize and choose quality childcare.
- A provision for parental choice in the selection of subsidized childcare.
- Programs designed to make childcare affordable to all.
- Consistent and reliable funding, administered efficiently, and used effectively.

- Financial support from a variety of sources including federal grants and matching funds, state funds, local government funds, employer contributions, fees for service, private philanthropy.
- Minimum standards, effectively enforced, for childcare services.
- Measures to promote quality childcare.
- Coordination of childcare programs, services, and funding.
- Encouragement of cooperation among groups and agencies.
- A state model-employer program that makes quality, affordable childcare available to state employees.

Explanation: Childcare/Early Childhood

At Convention 1989 delegates adopted a study of Childcare in Texas. The scope of the study included programs, services, availability, standards, enforcement, policies, and affordability. A Facts and Issues: Childcare in Texas: The Roles and Responsibilities of the State was produced by the study committee and widely circulated to members, childcare advocacy groups, and legislators. Consensus was reached in the fall of 1990, with 28 local Leagues participating.

The childcare position underwent Periodic Program Review during 1993-95. Several editing changes that clarify meaning were recommended by the Periodic Program Review Committee and approved by the membership. The reworded position is set forth above. A recommendation by the Periodic Program Review Committee for a substantive addition to the position (support of measures to override local restrictions on the location of childcare facilities, including family day homes) was rejected by the membership. The name was changed by state board vote in October 2009 to Early Childhood to reflect the prevailing title used in the industry.

History: Childcare/Early Childhood

1985. Action to strengthen and expand the state role in childcare programs was taken in support of legislation enabling the Texas Employment Commission to provide public and private employees information and technical assistance regarding childcare. The LWVTX also supported the successful legislation which allows counties to provide childcare services for employees and jurors and to set fees for those programs. Also see Childcare/Early Childhood under State Program.

1991. Childcare was a League priority for the 72nd Legislature and was a very active issue because of developments at the federal and state levels. The passage of federal block grant legislation during 1990 made significant new funding available to the state for childcare, necessitating substantial policy development and planning by the state. In response, the interim Childcare Task Force of the House Health and Human Services Committee produced comprehensive recommendations addressing policy, planning, quality, and regulation, as well as measures to make childcare affordable and available. The task force recommendations were introduced as a package of bills, most of which the League was able to support. The League worked closely during the session with other childcare advocates through the Childcare Working Group for passage of these bills. Thanks to strong legislative leadership in both the House and Senate and coordinated advocacy, most of the legislation passed.

This legislation included a resolution setting forth a clear position for the State of Texas on the importance of childcare and specific requirements to make childcare affordable and available. Other legislation set guidelines for the implementation of federal and state childcare programs and established an advisory committee to assist in developing policies for the use of state and federal funds for childcare. A League representative was appointed to this committee. Another successful bill related to standards, licensing, and coordination of prekindergarten programs.

Several bills the League supported failed to pass because they required additional state funding. These included bills relating to training of childcare providers and reimbursement of start-up costs incurred by childcare providers, and one mandating a cost-of-care study.

1993. Due to fiscal restraints, few new initiatives for children succeeded in the 73rd Legislature. Most legislation that did pass was of a regulatory or technical nature. Many health and human services programs were underfunded in the 1994-95 budget. A childcare program that enables low income families to pursue employment or be employed in

order to remain off welfare was cut by \$8 million, affecting 6000 children. The federal matching funds were diverted to serve 4-year-olds in communities that have prekindergarten programs, thereby subverting the intent of the program.

1994-95. During the legislative interim, the Texas Board of Regulatory Services adopted stricter minimum standards for childcare facilities. The League lobbied in favor of the new standards, contacting board members to urge their support. Unfortunately, the victory was short-lived. The 74th Legislature rolled back key provisions of the new standards, including child/adult ratios, square footage requirements, and group sizes. Prior to future changes to the minimum standards, an independent cost/benefit economic impact study must be completed and sent to the legislature. But implementation of the rolled-back standards was delayed until September 1997. This delay gave advocates for young children, including the League, the opportunity to educate legislators about the components of quality childcare.

1997. Early in the session many of the recently strengthened Childcare Minimum Standards were lost to a compromise between childcare advocates and legislators, but a number of positive childcare bills were eventually passed. Childcare professionals and advocates will be able to use an appropriation of \$34.9 million from general revenue funds to qualify for matching federal funds for childcare expenditures being spent, or that can be spent, in their communities. Other bills that passed provide childcare training to local workforce boards, establish pilot programs offering childcare training to welfare recipients, and mandate a childcare representative on local workforce boards. Family home providers are now required to register with the Department of Protective and Regulatory Services, pay annual fees, and obey state regulations. Other legislation provides guarantees for small and medium loans for childcare businesses and nonprofit centers that provide childcare services, establishes the Interagency Council on Early Childhood Intervention, and provides school-based childcare for latch key kids. The League produced an advocacy paper, "Quality Childcare for Texas Children: A Sound Investment in the Future."

1999. The LWVTX followed several childcare bills and the following measures were successfully passed. A childcare resource and referral network will be developed to provide a periodically updated listing of childcare providers, including hours of operation and cost, for each county. Professional childcare training scholarships and student loan repayment assistance will be offered to childcare workers. Additional training on shaken baby syndrome, sudden infant death syndrome, and early childhood brain development will be required for childcare providers. The LWVTX supported these bills in order to strengthen the quality or affordability of childcare in Texas.

2001. The focus of the LWVTX and other child advocates was on adequate funding to ensure that no children in working poor families are removed from childcare in the next biennium. There was a slight increase in funding for childcare, but it doesn't appear to be sufficient. Only through the reallocation of some unexpended federal Childcare Development Funds was the state's waiting list of approximately 40,000 children as of January 1, 2001, reduced.

2003. During the 78th Session, quality initiatives for childcare services were reduced through budget cuts. However, legislation passed which requires coordination of early childhood programs and establishes two groups to address the issue of quality early care programs. Even though the need for childcare continues to expand, due to the state budget shortfall, fewer children will receive subsidized childcare in 2004-5. The newly organized Texas Early Childhood Education Coalition, composed of childcare advocates, holds promise for successful future collective action.

2005. Two of the childcare bills that the LWVTX supported were signed into law. Approximately 50 early care and education bills were filed this session. SB 23 expands the Texas Early Education Model (TEEM), an integrated model of service delivery of early care and education programs

(prekindergarten, childcare, Head Start) to increase full day, full-year quality preschool services. HB 2808 contained an amendment that provided for the appointment of a blue-ribbon commission to study early childhood education and development resource needs, financing options to secure adequate funding, as well as identifying barriers to the integration of preschool delivery systems.

Although the Legislative Budget Board, not a blue-ribbon commission, is designated to conduct the study in HB 2808, it does provide an opportunity for advocates to work with leadership on the Legislative Budget Board during the interim. The Legislative Budget Board will conduct a performance review and develop a report to:

- Study the resource needs of high-quality early childhood care and education programs.
- Recommend options for additional funding.
- Develop a plan to implement in phases, full-day preschool programs for at-risk children and to expand the eligibility for early care and education programs.

Promoting quality initiatives and improving access to preschool programs remain as goals on the unfinished League childcare agenda.

2007. Mixed results were accomplished by the 80th Legislature with emphasis on state oversight of childcare facilities and staff. Additional funding for residential (foster care) licensing was obtained, but no new funding for day care licensing. Proposed cuts to public prekindergarten programs were also avoided.

SB 50 (Zaffarini), a comprehensive, cooperative and interdisciplinary approach to improve all facets of childcare, prekindergarten and training of early childhood professionals; stalled in the House and did not pass. However funding for many of the provisions in SB 50 was included in the budget: prekindergarten services through the Texas Early Education Model, improve reimbursement rates paid to childcare participants in Texas Rising Star Certification Program, and funding towards creation of regional development partnership projects to improve the recruitment, retention, and quality of professionals working with young children. A portion of the bill that required school districts to report Texas Primary Reading Inventory scores in the school readiness certification system to the State Center for Early Childhood Development was amended onto SB 1871 (Zaffarini) which passed.

SB 758 (Nelson) allows children in the foster care system eligibility for prekindergarten, ensuring that children who have been sexually abused, physically assaulted, and/or neglected have a leg up before kindergarten, and to remain eligible for public prekindergarten after leaving foster care. HB 199 (Madden) addresses the critical first year of a child's life by establishing a residential infant and parenting program for mothers in prison.

The Texas Workforce Commission adopted new background check rules for relatives who are compensated by the state for providing childcare in the home. HB 1385 (Villeareal) created a separate level of regulation for small businesses that offer childcare on their premises for employees. This bill also included exemptions from childcare regulation to some rural private schools and religious education programs.

2009. Update of the program title from Childcare to Early Childhood was approved by the LWVTX Board of Directors to help better describe the topics in this area of advocacy. The early education movement in Texas this year has grown to be so strong that its only critics are those who opposed any public investment, no matter how solid the research. Since many bills filed for have to do with early childhood education we also act under the LWVUS position on Early Intervention for Children at Risk, adopted in 1994. See the section on National Program action at the end of this publication for action under this position.

Also SB 572 (Shapiro), "Jacob's Law," mandates 2 hours of annual training hours specifically related to the safe transport of children under the age of nine; SB 1646 (Van de Putte) establishes a Council on Children and Families to identify methods to ensure children and youth receive appropriate assessment, diagnoses, and intervention services; HB 136 (Villarreal) requires school districts to notify parents of prekindergarten eligibility; HB 1240 (Villarreal) requires infant care information to be provided to parents.

Following the legislative session, Texas Childcare Licensing Division initiated a review of the current minimum standards for center-based and home-based day care operations. The review process will further evaluate childcare licensing regulations, addressing expired legislative initiatives, regarding the training provider qualifications and minimum training hour changes for childcare employees/operators facilities.

2011. Ten out of 23 bills supported by the LWVTX were signed into law, with eight taking effect September 1, 2011. Legislation focused on safety and staff training, specifically increasing childcare provider training hours, specifying

qualifications for those providing childcare training, and allowing the Texas Rising Star childcare centers to use comptroller purchasing discount programs. Licensed childcare homes will also receive additional fire safety inspections annually by local government, with other safety violations reported directly to childcare licensing. Licensure improvements and government-sponsored databases will provide data indicating childcare providers who meet minimum standards. Those centers meeting higher quality rating systems standards will also be identifiable for the first time from a state website. (See Child Health Insurance Program under Health Care for Those of Lesser Means.)

2013. Seventeen of the 44 bills were signed into law with only \$40 million earmarked specifically for supplemental prekindergarten funding. With nearly \$300 million cut from prekindergarten programs during the 82nd Legislative Session, successful bills were low fiscal impact and dealt with early childhood program quality, earlier identification of children with disabilities, Early Childhood Intervention caseload growth, and childcare regulation enforcement concentrating on child health and safety of all children.

The advocacy goals since 2005 for quality initiatives and improving access to preschool programs were largely accomplished this session with the success of HB 376 (Strama et al.), SB 50 (Zaffirini) and SB 430 (Nelson). HB 376 prioritized quality components in the Texas Workforce Commission childcare subsidy system with quality programs receiving additional and incremental reimbursement rates. It also provided technical assistance to improve childcare centers, required childcare quality initiatives for local workforce development boards, and created the establishment of an appointed Texas Rising Star Program Review Work Group to continuously improve the quality of education/care for children on Texas Workforce Commission childcare subsidies. HB 376 was the result of a statewide work group collaboration, with the LWVTX participating, spending 4 years to create legislation prioritizing quality care for children on federally-funded Texas Workforce Commission childcare subsidies and resolving the extremely low reimbursement rates providers receive.

SB 50 expanded the composition of the Texas Children's Policy Council adding representation for at-risk and special needs children. SB 430 requires the Department of Family and Protective Services to verify the unavailability of community day care before day-care assistance or services are specified to be provided by foster parents.

The successful Texas Early Childhood Education Coalition consolidated with Texans Care for Children to better serve advocates on priority and crossover issues. Texas early childhood program funding continues to be a concern; local entities are creatively funding pilot projects to gain increased child access to local prekindergarten programs.

2015. Only four of 52 filed bills were signed into law this session with three focusing on childcare records/inspection transparency and one on prekindergarten. With prekindergarten identified as one of the governor's emergency legislative issues, HB 4 was earmarked the governor's prekindergarten bill. It passed providing a small bump in funding for public school prekindergarten programs that meet new requirements. It does not include class size limits or other quality provisions, but it takes a first step that future legislatures can build on. HB 4 provides an additional \$130 million via grants for the 2016-17 biennium for high quality prekindergarten programs to currently eligible 4-year-old students without explicitly funding or requiring full-day programs. HB 4 does change the Education Code requiring the Texas Education Agency or school districts to do the following:

- Attempt to maintain a ratio of not less than one teacher or one teacher's aide for each 11 students.
- Prekindergarten teachers are certified teachers and have a Child Development Associates Degree or certain other additional early childhood qualifications.
- The Texas Education Agency Commissioner to develop a prekindergarten teacher training course
- Permit partnerships between school districts and private providers.
- High-quality prekindergarten programs measure the progress of students in meeting recommended learning outcomes.
- Opt into the new high-quality programs to create family engagement plans.
- High-quality programs use a curriculum that meets the Texas Education Agency Prekindergarten Guidelines.
- Report to the Texas Education Agency class sizes, teaching ratios, the type and results of assessments used, and the curriculum used for all district prekindergarten programs.

The Early Childhood Intervention program has experienced growth in the proportion of enrolled children who have more complex needs, such as a medical diagnosis or a delay in multiple areas. Much of this change stems from budget cuts in 2011, which led the Department of Assistive and Rehabilitative Services (DARS) to narrow the eligibility criteria for Early Childhood Intervention and keep children with less acute needs out of the program. The Department of Assistive and Rehabilitative Services requested \$14 million in additional General Revenue for the 2016-17 biennium. The Legislature opted to cut pediatric therapy service rates and partially fund this budget request with \$3.8 million in general revenue funding and \$5.9 million in all funds (a combination of state and federal funding). This funding was estimated to allow the program to provide an average of 2.75 monthly service hours, rather than the 2.78 that the Department of Assistive and Rehabilitative Services hoped to reach by 2016 and the 2.88 it hoped to reach by 2017. This represents a \$2.5 million decrease in all funds from expenditures during the 2014-15 biennium, despite an anticipated increase in the number of children served and hours of service provided. The Early Childhood Intervention program is expected to serve a monthly average of 26,753 children in 2016 and 27,170 in 2017. Another unknown is the state agency consolidation impact of transferring the Department of Assistive and Rehabilitative Services functions to the Health and Human Services Commission.

2017. Numerous cross-agency bills were proposed with only three bills overcoming political stalemate: (a) HB 2039 created an early childhood teacher certification to teach students prekindergarten through Grade 3. (b) HB 674 limits out-of-school suspensions for students in grades prekindergarten through 2^{nd} grade and permits school districts to implement positive behavior management strategies. (c) HB 357 expands prekindergarten eligibility to include children of seriously injured or fallen first responders.

The legislature cut appropriations for prekindergarten, eliminating the funding for the high-quality 2015 grant program. Instead, legislators passed a budget rider simply directing all school districts to comply with the grant program quality standards using a portion of the Foundation School Program kindergarten entitlement, totaling \$236 million statewide for a high-quality prekindergarten program. Educators recognize the need for high standards, but the enforceability of the rider is in question. The best way to drive improvements is through high standards coupled with additional funding to support additional district investments in quality teachers, full-day options, reduced class size, or other improvements. And legislators failed to improve:

- Transitional Temporary Assistance for Needy Families (TANF) services.
- Nutrition standards in childcare.
- A review of the Texas Workforce Commission subsidized childcare program.
- A staff/child ratio and group size incident reporting of licenses childcare study.
- Licensed before- and after-school programs promoting healthy eating and physical activity.
- A task force to coordinate the multiple agency study of parent engagement/education programs provided.

2019. See Early Intervention for Children At Risk. The focus is on child health bills.

D. Domestic Violence

1985, 1986, 1997, 2008 (See also LWVUS position "Violence Prevention" in Impact On Issues)

The League of Women Voters of Texas supports adequately funded state and local programs that work to eliminate the incidence of domestic violence and to alleviate its effects.

The League also supports appropriate penalties for offenders, easy access to protective orders, improved enforcement and administrative procedures for criminal justice professionals who deal with domestic violence, financial compensation to victims, and improved accessibility to services dealing with domestic violence. The League supports state funding for seed money, capital funds, and operating costs for the following:

- Local and regional residential centers for victims.
- Nonresidential support services.
- Counseling programs for all affected members of the family or household.
- Mandatory treatment and counseling programs for offenders to correct abusive behavior.

- Mandatory specialized training for peace officers, prosecutors, judges and court personnel, and parole and probation officers.
- Expanded training in police academies to deal with domestic violence.
- Public information about domestic violence.

In order to provide appropriate penalties for domestic violence offenders, the League supports:

- Enhanced enforcement of present assault statutes and imposition of penalties intended by the law.
- Penalties for injury to any victim of domestic violence equivalent to the penalties for injury to a child or an elderly person.
- Adoption by prosecutors of a "no drop" policy so that a victim's request for dismissal will be denied if charges have already been filed.
- Criminal prosecution of those who violate temporary restraining orders in domestic violence cases.

The League supports efforts to make it easy for domestic violence victims to obtain protective orders by:

- Requiring that prosecuting attorneys file all applications for protective orders upon receipt.
- Providing applications and easy-to-follow instructions for filing protective orders without representation by an attorney.

To enable criminal justice professionals to deal effectively with domestic violence cases, the League supports:

- Requiring specialized training for police officers, prosecutors, judges and court personnel, and parole and probation officers.
- Establishing crisis or domestic violence teams.
- Mandating arrest without a warrant when there is probable cause.
- Establishing and providing adequate funding for a central Protective Orders Registry. The League supports
 mandatory specialized treatment and counseling of abusers to correct their behavior.

To work to eliminate the incidence of domestic violence and to make services more accessible to victims, the League supports the use of financial compensation, including payment by abusers for medical and legal expenses, counseling, and living expenses incurred by victims as a result of abuse.

Explanation: Domestic Violence

Delegates at Convention 1983 chose domestic violence for statewide study, and members adopted a position regarding domestic violence in 1985. The first domestic violence position called for adequate state and local funding for programs to reduce the incidence of domestic violence and alleviate its effects. Because the League position was limited to support of adequate funding, the LWVTX advocates were unable to act on domestic violence bills that went beyond funding during the 1985 session. To remedy that situation, a second domestic violence study focusing on the legal system was selected by delegates at Convention 1985. The current, expanded domestic violence position statement was adopted in June 1986.

As a result of legislation enacted in 1995, the 1994-97 Periodic Program Review Committee eliminated several provisions dealing with protective orders and added one concerning creation of, and funding for, a central Protective Orders Registry. Convention 2006 recommended that the position should not read "reduce" domestic violence, but "eliminate" it. Revised wording was put forward as an item of concurrence in Program Planning, fall 2007, agreed to unanimously, and adopted by the state board in January 2008.

History: Domestic Violence

1987-89. In the 1987 and 1989 Legislative Sessions, the LWVTX supported successful bills to reduce the cost and improve the accessibility of protective orders to victims of family violence and to tighten their enforcement. In the 1989 Session, League efforts included strong support for a successful omnibus protective order bill and a bill providing for the incremental upgrading of offense classification and punishment for subsequently occurring acts of domestic violence. Funding was secured with passage of Lt. Governor Hobby's Anti-Crime Plan.

1991-93. The LWVTX supported its domestic violence position through membership in the Texas Council on Family Violence. An important achievement of the 1993 Session was passage of the so-called "stalking" bill that provides a means for victims to report an individual's harassment before actually experiencing physical injury, thus giving the law enforcement system the ability to protect potential victims of domestic violence.

1995. With League support, the 74th Session of the Texas Legislature amended the Code of Penal Procedure to create a legal exception to the spousal adverse testimony privilege. The Senate Interim Committee on Domestic Violence had strongly recommended creation of the exception to prevent perpetrators of family violence from hiding behind the shield of "spousal privilege," thus escaping successful prosecution and conviction. Another significant measure enacted during this session created a statewide central registry for protective orders through the Texas Department of Public Safety.

1997. A strengthened anti-stalking bill was passed early in the session, followed by several proactive bills to assist survivors of domestic violence. One measure authorizes the Department of Human Services to develop procedures to assist family violence survivors who are welfare recipients, while another bill will use a small increase in court-filing fees to provide basic legal services to the indigent, many of whom are battered women and children. Two bills that would have made it more difficult for women to escape abusive marriages were defeated. A bill that would have authorized the creation and distribution to all public schools of an antiviolence curriculum did not get out of committee.

1999. Advocates scored significant victories during the 76th Legislature. There were significant increases in appropriations to the Department of Human Services Family Violence Program and to Battering Intervention and Prevention Programs. Legislation passed making it more difficult for batterers to obtain custody and/or visitation of children.

2001. The League supported a bill, signed by the governor, which provides that as of September 1, 2001, it is illegal in Texas for those under final protective order for family violence and those convicted of family violence crimes to possess guns.

2019. The 86th Legislative Session passed several bills which LWVTX supported to assist law enforcement with prosecution of domestic violence and sexual assault cases. The <u>Lavina Masters Act</u> mandates that rape kits must be tested at a lab within 90 days after it receives the evidence. If the evidence has not been tested by a forensic lab, the statute of limitations (the timeframe in which a case must be presented to a Grand Jury) for sexual assault cases is tolled. Rape kits cannot be destroyed by the state for 40 years after receipt or until the statute of limitations runs, whichever is later. And <u>Rachel's Law</u>, allows district attorneys to file continuous family violence charges against an offender if the act takes place in more than one county.

Lawmakers gave law enforcement more tools to investigate domestic violence cases. The passage of S.B. 586 increases mandatory law enforcement training hours regarding sexual assault, child abuse and family violence to ensure that the training includes the use of best practices and trauma-informed techniques to effectively recognize, document, and investigate these types of cases.

Texas will now have a Protective Order Registry. This centralized internet-based registry will track applications for protective orders and protective orders issued in this state. A portion of the registry will also be set up for restricted use by law enforcement to help protect victims of domestic violence. The public will be able to access limited information about issued protective orders at no cost.

Financial abuse—a previously overlooked form of domestic violence--was proactively addressed in this session. Two bills that LWVTX supported through testimony and Action Alerts will now be law. S.B. 234 gives victims of family violence a right to vacate and avoid residential lease liability while S.B. 2697 is the first law to address coercive debt, providing a legal remedy for persons victimized by financial crimes (identity theft, credit card fraud, etc.).

2021. The high note on the domestic violence issue during the 87th legislative session was an increase in funding for services to assist survivors of domestic violence. These funds will help reduce capacity in shelters and provide more options for legal assistance and housing. On the legal front, survivors did not see transformative victories in this session. Although women and their protection were major talking points for legislation regarding guns, few bills actually passed to help survivors.

One bill that did pass is SB 798. LWVTX supported this bill which was signed by the Governor and will take effect September 1, 2021. Now survivors of domestic violence and dating violence as well as children of a survivor can obtain a certified copy of a birth certificate and state-issued ID at no cost. While this new law seems minor, it will have a positive impact on survivors who are often handicapped by limited financial resources. Identification is crucial for survivors of domestic violence to start their new lives outside of shelters.

LWVTX continues to support all efforts to prevent domestic abuse in dating relationships from legally obtaining firearms (the "Boyfriend Loophole"). Although assigned committees, both SB 283 and HB 210 (identical bills) were never scheduled for public hearing.

This legislative session unfortunately denied the opportunity through HCR 59 for a joint interim study regarding domestic violence. The resolution supported by LWVTX outlined the effects of domestic violence on adults in all areas of their lives as well as the damage caused to children who are directly victimized or witness domestic violence. HCR 59 was considered in public hearing but left pending in committee.

E. Equal Opportunity/Income Assistance

1970, 1995, 2020 (See also Equality of Opportunity under National Program.)

The League of Women Voters of Texas supports legislation and administrative action to achieve equal rights for all persons, regardless of their race, color, gender, gender identity, gender expression, religion, national origin, age, sexual orientation, veteran and military status, familial status, or disability, to combat discrimination and poverty, and to provide equal access to housing, employment, and quality education in Texas.

Specific measures that we support include:

- Access for all persons to free public education that provides equal opportunity for all.
- Removal of the ceiling on income assistance (welfare) spending from the state constitution.
- Provision by the state of supportive services, such as health care, childcare, family planning, legal aid, and job training for income assistance (welfare) recipients.
- An effective human relations commission for Texas that includes such features as:
 - Permanent independent status.
 - o Investigative and legal enforcement powers that go beyond the conciliation process.
 - An adequate budget funded independently of the governor's office.
 - Equitable representation of racial, religious, and ethnic groups.
 - An adequately sized staff trained in human relations work.

Explanation: Equal Opportunity/Income Assistance

In the fall of 1970, local Leagues in Texas studied income assistance under a national program item, with the state League adding two consensus questions to the list of national consensus questions. The basis for action at the state level was thus increased by the resulting positions on state income assistance and state supportive services.

League members have supported establishment of a human relations commission for many years and, in 1970, identified those elements that comprise an effective commission. League members believe that such a commission should publicize its existence and help communities form their own commissions. Other programs which members support include these: enforcement of fair housing laws, enforcement of minimum building codes, expansion of vocational education opportunities, expansion of counseling services, and combating discrimination in employment. The legislature created the Texas Human Rights Commission in 1983. However, this commission currently addresses only employment discrimination, not the other program needs identified in our position.

This position underwent Periodic Program Review in the 1993-95 biennium. Several wording changes that update the statement to reflect changed policies and circumstances were suggested by the Periodic Program Review Committee and approved by delegates at Convention 1995. The updated position is printed above.

Our position was amended by delegates to Convention 2020 to enlarge and explain the definition of those who deserve equal rights in Texas. Wording from the LWVUS position was used as a guide.

History: Equal Opportunity/Income Assistance

1980s. The League has been very active in the support of adequate benefit levels for the Texas Aid to Families with Dependent Children (AFDC) program, described previously in the state program section on Equal Opportunity/Income Assistance.

1983. The League opposed state workfare legislation that would have required work for Aid to Families with Dependent Children adult recipients. The proposed bills did not clearly define nor fund training, education, work opportunities, or essential support services such as childcare, medical care, or transportation for participants.

1987. The state League testified that state funding for the administration of the Texas Food Stamp Program was inadequate to serve those persons eligible for food stamps and that federal and state requirements for the processing and issuing of food stamps were not being met in many areas of the state. In subsequent sessions, the LWVTX has worked with the People First! Coalition to increase state funding for human service programs mandated by the federal government.

1971-87. During this period, the League focused on the removal of Texas constitutional limits on state spending for income assistance and on raising Aid to Families with Dependent Children (AFDC) benefits. Because attempts to remove the ceiling on income assistance benefits were repeatedly defeated, the League supported the politically feasible action of raising the constitutional ceiling. There was both legislative and public support for a ceiling of 1% of the annual state budget, and the 1982 ballot measure designating that ceiling was approved by the voters. Raising AFDC grants remained a legislative priority in 1985 as the League lobbied for a benefit of \$60 or more per AFDC recipient. The AFDC benefit was raised from \$53 to \$57 per month for the 1985-87 biennium.

1985. During the 1985 Texas Legislative Session, the LWVTX lobbied in support of measures that would have established state studies in the area of comparable worth and pay equity as a means of eliminating sex-based wage discrimination and alleviating the growing feminization of poverty. The League lobbied for an interim legislative study of affordable housing in Texas and supported legislation which would allow the Texas Department of Human Services to collect information on teenage pregnancy in Texas and to serve as a clearinghouse for such data.

1987-93. The state fiscal crisis and the major threat of budget cuts caused the League and other human services advocates to work in the 70th Legislature to maintain the level of services in the 1987-89 biennium rather than lobbying for much needed increases. The LWVTX joined the statewide coalition People First! that successfully urged the legislature to address the basic needs of people first in state budget priorities, and that supported state revenue restructure and enhancement to provide adequate funding for essential state services. In the 1989, 1991, and 1993 Sessions the League again worked with People First! to maintain funding levels.

1995. A bill restructuring welfare in Texas was signed into law. Some of its provisions include: a needs assessment must be done for all Aid to Families with Dependent Children (AFDC) recipients; support services such as education, child care, and transportation assistance will be provided subject to availability of funds; a recipient must be a U.S. citizen or legal immigrant and a citizen of the state; and a recipient must sign a responsibility agreement that includes cooperating in efforts to check the child's paternity, taking the child for regular checkups and immunizations, and education/work agreements among other commitments.

1999. Legislative activity continued to deal with welfare reform in Texas. The LWVTX actively lobbied to protect support services to Texans receiving Temporary Aid for Needy Families (TANF). Some successes were legislation that allows (a) TANF recipients to keep more of their earned income, (b) removes barriers to finding and keeping jobs, and (c) funds additional child care for low-income families. A success was preventing the monthly TANF benefit from being reduced; it will remain at 17% of the federal poverty level.

2001. The League goal during this legislative session was to support bills that would remove many of the barriers in the present system for Temporary Assistance for Needy Families and obtaining food stamps. Results were mixed. Successful legislation will provide hardship exceptions for Temporary Assistance for Needy Families time limits,

phone application and recertification for food stamps, a required interagency plan for coordinated services for hard-to-employ clients, and aid for distribution of fresh produce from farmers to food banks. The governor vetoed bills that would have extended transitional services for certain Temporary Assistance for Needy Families clients and another that would have eased work requirements for certain clients. We have expressed concern that the current budgetary practice of using Temporary Assistance for Needy Families funds for other state needs will continue to put pressure on the program designed to effectively meet the needs of needy families, especially in welfare-to-work services.

2002-03. During the interim between the 77th and 78th Legislature, the Sunset Advisory Commission reviewed the operations of the Texas Workforce Commission, that was established in 1995 during welfare restructuring to merge all employment and training programs into a single, locally-controlled workforce system. The Sunset Commission made several recommendations to make the Texas Workforce Commission more accountable. The LWVTX submitted comments on particular recommendations, stating that the Texas Workforce Commission would benefit from more input from the public, local workforce boards, and childcare experts before formulating policies to be carried out by local workforce boards. The general intent of accountability and additional input for the Texas Workforce Commission was adopted in the final legislation.

Budget cuts were the name of the game in the legislative session. The number of families eligible for Temporary Aid to Needy Families will be reduced by lowering the asset test, lowering the vehicle value limit, and enforcing full termination of assistance to a family for any infraction of the Personal Responsibility Agreement. Budget priorities indicated that lawmakers were more interested in reducing numbers of recipients, rather than removing barriers to employment.

2005. Priority: Support for work development programs, including training for living wage jobs. Unfortunately, no legislation was passed out of committee to improve training for higher wage jobs. The Skills Development Fund, the Texas Workforce training program, was actually cut by nearly 60%. Funds were shifted to the Texas Enterprise Fund, a program to give incentives to businesses moving to Texas.

2017. Though equal opportunity wasn't a primary focus of the LWVTX this session, the rest of the nation was watching closely to see what would happen in regard to "lavatory" legislation and all the bathroom bills that had been filed. It's a mixed bag of the good, the bad, and the ugly.

The good: A record-setting 40 pro-lesbian-gay-bisexual-transgender-queer (LGBTQ) bills were filed by legislators this session. Even better: Three of them were actually voted out of committee but died in Calendar Committee.

- HB 1848: Although marriage equality is legal in the U.S., it is still technically illegal to engage in homosexual conduct in Texas. HB 1848 sought to repeal that.
- HB 225: Would have ensured that LGBTQ Texans were not discriminated against in employment.
- HB 192: Nondiscrimination for LGBTQ Texans in housing.
- Still, it is historic insofar as Texas has never passed a pro-LGBTQ bill this far in the process.

The bad: Twenty-four anti-LGBTQ bills were filed this session, more than any state legislature in the history of the U.S. Twenty-three of them either died or failed. But one (HB 3859) was signed into law by Governor Abbott.

HB 3859 allows child welfare agencies to discriminate against follow Texans based on "sincerely held religious beliefs." This hurts our foster care system because gay couples could be denied the ability to adopt a child. Gay or transgender children could be denied important child welfare services due to their sexual orientation or gender identity. Children who have been victims of sexual assault may also be denied emergency contraception, all in the name of religious refusal. Supporters of the bill claimed that any person who is denied services by a religious organization could still be served by a state agency, but the bill lays out no clear direction in how to track who is being left behind and what their status is. And considering that LGBTQ youth experience abuse and homelessness at disproportionately higher rates than their straight or cisgender peers, the LWVTX is extremely concerned about their access to safe and supportive care.

Special session. We helped defeat five attempts in the special session that would have explicitly discriminated against LGBTQ Texans. Knowing that Governor Abbott made privacy (code for transgender bathroom bills) one of his legislative priorities during the special session made it that much more difficult to defeat, but together we *did* defeat all five bills: SB 3, SB 6, SB 91, HB 46, and HB 1362, plus an unsuccessful last ditch effort by some legislators to add bathroom language to HB 21, a school finance bill.

2019. Our major activity this session began with our opposition to SB 15 (Creighton). This bill would prohibit cities and counties from requiring certain benefits and protections for employees. This relates to any form of employment leave (such as paid sick leave), hiring practices, employment benefits or other terms of employment. This bill would also gut non-discrimination ordinances that now protect more than six million Texans in most major Texas cities. Currently Austin, Dallas, El Paso, Ft. Worth, Plano, and San Antonio have municipal non-discrimination ordinances, and several other cities and counties have such policies for city workers and contractors. We issued an Action Alert (245 responses) and testified against the bill and the bill died in the Senate.

Then the author resubmitted it as four bills, SB 2485, 2486, 2487, and 2488, hoping parts of the bill would pass. Again we issued an Action Alert, "Fight Anti-Local Control Bills," and got 491 responses. All four bills passed the Senate but died in House Calendars.

The other bill we fought was SB 17, the "License to Discriminate" bill (Bettencourt), which said a holder of a state professional license could deny services on the basis of "sincerely held religious beliefs (except medical professionals). We testified against it and issued an Action Alert which got 245 responses. The bill passed the Senate but died without a hearing in House State Affairs.

F. Health Care for Those of Lesser Means/Child Health Care

 $1986, 1995, 2009, 2010 \;\; (See \; also \; LWVUS \; position \; \text{``Health Care''} \; in \; \textit{Impact On Issues})$

The League of Women Voters of Texas supports a basic level of health care for the medically indigent.

The League believes that all persons whose incomes fall below the federal poverty guidelines are most at risk of medical indigence and should be eligible for basic health care services. Special attention should be given to children of low-income families and to persons of low income who are elderly, pregnant, or mentally ill.

It is the responsibility of individuals to pay for their own health care to the best of their ability. For those unable to pay, health care services and programs for the medically indigent are the responsibility of various levels of government.

The League of Women Voters of Texas believes the following services constitute the basic level of health care for the medically indigent:

- Maternal and child care
- Emergency care
- Primary care
- Preventive care
- Care for the mentally ill
- Care for catastrophic illness
- Nutrition
- Substance abuse treatment
- Health education
- Long-term care
- Care for persons with disabilities

The League believes that all health care facilities, both public and private, have a responsibility to serve the medically indigent and should be accessible to those in need.

To improve health outcomes in the state of Texas, the League of Women Voters of Texas believes that Medicaid expansion, as permitted under the Affordable Care Act of 2010, should be approved and implemented by the state of Texas.

Explanation: Health Care for Those of Lesser Means/Child Health Care

League delegates to Convention 1985 adopted a study of Health Care for the Medically Indigent, which focused on eligibility, providers, funding, services, alternatives, and the role of state government. The LWVUS health care position, adopted in 1993, also calls for a basic level of quality health care that is affordable to all residents. (For more information on the LWVUS Health Care position and on relevant LWVTX advocacy efforts, see Social Policy section of National Program at the end of this publication.

The Health Care for the Medically Indigent position was reviewed during the 1993-95 Periodic Program Review process. The Periodic Program Review Committee recommended an editorial change and a substantive change in wording; the recommended substantive change was deletion of a phrase that listed several government levels as being responsible for indigent health care services. The committee rationale was that the listing was not all-inclusive and that the phrase, "various levels of government," without specifying which levels, would give Leagues more options for local advocacy efforts. The Periodic Program Review Committee recommendations were approved, and the updated position is printed above.

This position was amended to add a statement supporting Medicaid expansion in Texas, and was passed unanimously by delegates to LWVTX Convention 2020.

History: Health Care for Those of Lesser Means/Child Health Care

1980s. During the 70th Legislature, a budget crisis meant no additional funding for health care programs. The League supported continuation of current levels of state funding passed in 1985.

1988-89. Two active interim committees examined the expansion of Medicaid and alternative funding methods for health care. In July 1988, the board of the Texas Department of Human Services approved expansion of Medicaid coverage to pregnant women and to children up to age 2 years who are eligible. Important gains for expansion of Medicaid were realized during the 71st Legislature in 1989. Because Medicaid for pregnant women was no longer tied to Aid for Dependent Children (AFDC) guidelines, up to 22,000 pregnant women and 50,000 more children became eligible for health care benefits under Medicaid. Income eligibility for this special population was set at 130% of the federal poverty guideline. The income eligibility cap for nursing home care was raised to the maximum federal level, allowing Medicaid benefits that increase access to care for a greater number of elderly, disabled persons.

1990-92. The League monitored the Governor's Health Care Policy Task Force and presented written testimony in support of major portions of the draft recommendations. The final report was released in January 1993, calling for universal access to health care and, as a first step toward that goal, creation of health care coverage for all children and pregnant women.

1993. In 1993, following adoption of the LWVUS position, health care was selected as a priority issue for the 73rd Legislative Session. An advocacy paper, "Health Care in Texas: Condition: Critical; Rx: Major Surgery," was written and distributed to all House and Senate members and to local Leagues throughout the state. According to the advocacy paper, the goals for the LWVTX in the session were to establish a health care system that covered all pregnant women, create an immunization program that pays for vaccine for all children whose families cannot afford this care, and to reform health insurance by making it available to everyone at a reasonable cost; thus creating a uniform, mandatory package of basic health care benefits, and eliminating deductibles and copayments for a variety of preventive health screenings.

League testimony was delivered in both houses supporting the creation of an immunization program that met our established goal. Several variations of the bill were filed and ultimately combined. In cooperation with other organizations, the League worked successfully behind the scenes to remove language from the bill that was onerous

and punitive to poor children and their families. The bill was signed into law at a ceremony attended by League representatives.

The League also worked in support of a bill that passed addressing small employer access to health insurance by increasing the availability of insurance to employers of 3 to 50 people. While the measure calls for voluntary employer participation, several factors may encourage small employers to join the system. The law allows for the creation of purchasing cooperatives, establishes the nonprofit Texas Health Benefits Purchasing Cooperative, requires insurers to use a modified community rating rather than an experience rating system, and stipulates a basic package of health care services that must be offered to employers who select the plan. Insurance carriers electing to offer the benefit plans set forth in the legislation must agree to accept all employers regardless of prior claim experience and to renew the employer's health benefit plan.

The League supported successful legislation aimed at expanding health services in medically underserved areas. Support was also given to measures that failed, including creation of a cost containment council and limitations on a physician's ability to refer patients to a facility in which the physician or a family member has a significant ownership interest.

1995. The LWVTX published an advocacy paper, "Medicaid Reform: To Solve a Crisis," which was circulated to legislators and other interested officials, groups, and individuals. The paper called for implementation of the following cost-saving steps to ensure the availability of health services for the indigent: streamlining of administrative processes, emphasis on preventative and primary care, expansion of managed care options for Medicaid recipients, and creation of incentives for expansion of community services by public and private providers.

The 74th Legislature enacted legislation that dramatically alters how the state delivers and funds medical care to the indigent. In effect, the Medicaid program has been converted into a managed health care system that places new emphasis on prevention. The legislation also mandates pooling local and state health care monies used to provide indigent health care in order to maximize access to federal matching funds.

1997. Five League-supported bills on health care were signed into law. The Texas Healthy Kids Corporation will provide low-cost health insurance for children of parents who cannot afford insurance but make too much money to qualify for Medicaid. Another bill directs the Texas Department of Health to provide rules for lead abatement, a serious health hazard faced disproportionately by children in the lower socioeconomic level, while an omnibus nursing home act established procedures and penalties for noncompliance of existing laws and regulations. Legislation was enacted requiring health plans that provide maternity benefits to also include coverage of inpatient care for a mother and her newborn in a health care facility for a minimum of 48 hours, and, consistent with the League position on Medicaid reform, a new law provides increased penalties for Medicaid fraud.

1997-99. In the fall of 1997, following passage of enabling federal legislation, The LWVTX became actively involved in a coalition of child health advocacy groups calling for a Children's Health Insurance Program for Texas. Throughout the legislative interim, the coalition, including LWVTX representatives, worked with agency staff to help shape the legislation that was ultimately introduced. Named one of the priority issues for the LWVTX, the Children's Health Insurance Program received grassroots advocacy from local Leagues, including travel to the capitol for the Children's Health Insurance Program Advocacy Day. We achieved passage of all our goals: a health insurance plan that will provide primary and preventive care to low-income, uninsured children who are not eligible for Medicaid. The plan will maximize the use of federal matching dollars, provide family-friendly enrollment, provide appropriate benefits for children, and support working parents.

In addition to the Children's Health Insurance Program, health care in general was an active issue for the LWVTX. Nine League- supported bills on health care became effective September 1, 1999. School districts may establish school-based student health centers. Legislation was enacted that sets forth the standards and procedures for the delivery of indigent health care. Another bill provides for state assistance to counties that spend at least 10% of county general revenue to provide health care services to residents through a hospital. Permanent funds were established for certain public health items. The elderly should benefit from a bill that provides for required

immunizations for nursing home residents. Consistent with the League position on Medicaid reform and cost containment, a bill streamlines the administration and delivery of federally funded Medicaid programs supporting long-term care, while another stipulates that contracts must be in effect for insurers to reimburse providers. Legislation directs state agencies to study and make strategic plans concerning the delivery of long-term care and other health services. While female genital mutilation was prohibited, the 75th Legislature did not add the budget line item for women's health for which the League had actively lobbied. The Campaign for Women's Health will regroup during the interim and work for a more favorable outcome in 2001.

2001. During the 77th session the LWVTX continued its active participation in the Children's Health Insurance Program coalition working towards simplification of the Medicaid application and recertification procedures to become comparable to those of the Children's Health Insurance Program. We were largely successful in obtaining more simplified forms and processes, phased-in continuous eligibility, age 6 to 19 years, by 2002, and 1-year continuous eligibility no later than June 2003. We were unable to obtain elimination of the assets test for Medicaid, although the extensive documentation formerly required has been dropped. In addition, the governor signed a bill requiring a pilot study and, if successful, a pilot project to allow portability of Medicaid benefits for migrant children. The governor vetoed a bill that would have allowed Texas to exercise its option under federal law to provide Medicaid benefits to otherwise-eligible legal immigrants after they have been in the U.S. for 5 years. It is not clear that there is adequate funding for either Medicaid or the Children's Health Insurance Program. Since Medicaid is an entitlement program, the legislature must fund any shortfalls. However, Children's Health Insurance Program is not an entitlement program and is already exploring options for restricting or reducing services if a budgetary shortfall materializes.

The League was also active in the area of women's health care. Medicaid can now cover uninsured women under the age of 65 who have breast cancer. However, the governor vetoed a bill for a Medicaid waiver for women's health and family planning. The waver would have saved the state \$300 million over the next 4 years and provided family planning services and preventive health care to an additional one million uninsured Texas women. The legislature did not pass legislation that would have allowed application for a Medicaid waiver to provide for comprehensive health care for women.

2003. During the 78th Session the Medicaid Waiver failed again. A bill, which would have called for the state to apply for the Medicaid Waiver for Women's Health, was heard in House Human Services Committee and died in committee. The bill would have established a demonstration project through the application of an **1115** Medicaid Waiver to expand women's health care services for women **18** years and older with an income at or below **185**% of the federal poverty level. During the appropriations process prenatal health care services were also reduced.

2007. Due to lots of hard work by members of the Children's Health Insurance Program coalition and by a number of committed legislators, HB 109 passed, restoring much of what had been lost in 2003. The bill is to be to be fully implemented by September 1, 2008. About the law:

- Section 1: Allows deduction of certain childcare expenses when determining if a family's income qualifies for the Children's Health Insurance Program.
- Section 2: Restores language from the original Children's Health Insurance Program law requiring a community-based outreach program, including contracts with community-based organizations.
- Section 3: Increases the asset limit authorized in 2003 for children and families at 150% to 200% of the federal poverty level from \$5,000 to \$10,000.
- Section 4: Requires that the Children's Health Insurance Program use some method to verify the reported incomes of Children's Health Insurance Program applicants.
- Section 5: Provided an eligibility period of 12 months for children in families with incomes at or below 185% of the federal poverty level. Children in families at 185% of the federal poverty level are to have their income reviewed every 6 months. The Department of Health and Human Services must notify parents at least 30 days prior to ending coverage if a child is found ineligible due to income reviews under one of the 6 month reviews.
- Section 6: The 90-day delay in coverage is eliminated to allow for uninsured children to be eligible for the Children's Health Insurance Program.

2009. The Community Based Alternatives program received additional \$15 million (\$3.7 million for FY 2010, \$11.3 million for FY 2011) to fund an additional 430 slots by the end of FY 2010, and 861 slots by the end of FY 2011. In addition, \$58.5 million all funds (\$28.8 million for FY 2010, \$29.7 for FY 2011) was appropriated to fund an \$.80 per hour wage increase for attendants as a result of the July 2009 minimum wage increase. Also, the reimbursement rate for nursing homes was increased by 3%.

The Legislature wants the state to promote the importance of having health insurance and educate the public on purchasing and the availability of health insurance. They directed the Health and Human Services Commission to cost effectively process claims for all health care services by the same system. Also, they outlined streamlining initiatives in applying for Medicaid waiver programs and called for long-term care consumer information to be provided on the Internet.

2011. Children's Health Insurance Program. Much of the legislation impacting health care for the children of Texas was contained within the budget and a massive health efficiency bill. These measures changed and expanded multiple times during the regular and special sessions. The bill, as finally passed and signed, included beneficial provisions that could undermine the wellbeing of those qualifying for either Children's Medicaid or the Children's Health Insurance Program.

Budget discussions focused on proposed provider rate cuts of 10% to those delivering health care to Medicaid and Children's Health Insurance Program patients, in spite of Texas' already low reimbursement rates and recent cuts. In the end, payments to children's hospitals and primary care physicians treating children were spared the large cuts made to other hospitals and providers.

Multiple proposals targeting greater health care efficiency evolved into SB 7 (Nelson), which passed during the special session. On the positive side, SB 7 included strategies for improved quality of care provided to Children's Health Insurance Program and Medicaid recipients. It also called for shifting from the traditional system of payment for services to payment rewarding better health outcomes. Negatively, the final bill carried provisions designed to give the State of Texas more control over health care programs. A health care compact, if ultimately approved by the U.S. Congress, would turn all federal health funding coming to Texas for Medicaid and the Children's Health Insurance Program, as well as Medicare and other programs, into a single large block grant to the state. A waiver of federal law would radically restructure Medicaid in the state. If either the block grant or the waiver were to take effect, children and other vulnerable populations would lose much in the way of protection currently guaranteed under federal law.

Most individual bills designed to either improve or restrict Children's Medicaid and the Children's Health Insurance Program died in the regular session. Unfortunately, an attempt to extend Children's Medicaid eligibility to a 12-month continuous period, thus allowing many qualified children to retain access to health insurance, made little headway.

Other issues. With a \$27 billion shortfall, Medicaid and education were big targets for cuts in the 82nd Legislative Session. Maintaining existing reimbursement rates was a priority for many groups, including the League. Because of strong advocacy, Medicaid reimbursement rates for nursing homes and community based alternative care were maintained at 2010 rates. Hospice got a 2% cut. Everyone on a Medicaid waiver got his or her funding cut 10%. Direct health care will not be cut as it is deemed nonnegotiable. Negotiable expenses such as home modifications will make up the 10%. Providers got cuts in administration costs.

During the special session, "secession legislation" passed seeking a health care compact, a partnership with other states to take control of Medicaid and Medicare, and legislation asking the Obama administration for a waiver to operate Medicaid as Texas sees fit. Both are unlikely to happen under the Obama administration. Legislation passed to protect patient advocacy activities by nurses and certain other persons, providing an administrative penalty for denying right to advocate.

2013. The most significant health care considerations for the 83rd Legislature were related to implementation of the Patient Protection and Affordable Care Act. Other measures concerning Children's Medicaid and Children's Health Insurance Program were focused mainly in three areas: expansion, efficiency, and funding.

Legislators filed only a few bills designed to expand access to publicly funded insurance for deserving children. Proposed measures called for opening the Children's Health Insurance Program to families with somewhat greater assets or increasing the time to a full year before families must reapply for Children's Medicaid. Expansion efforts all died without consideration by the full legislative body.

Massive bills intended to make health care delivery more efficient did become law. Some features of the bills could ultimately benefit children, such as extending managed care to a wider range of medical situations and providing incentives for quality care. Other features could have a negative impact, such as limitations on the criteria for expanding Medicaid eligibility.

Lawmakers rectified some of the deliberate underfunding of Medicaid and the Children's Health Insurance Program from the previous session just in time to meet current needs. The budget for 2014-15 provided for an 11% increase in the number of children in Medicaid, but it projected a drop in the number of children in the Children's Health Insurance Program due to Affordable Care Act implementation. When adjusted for inflation and population growth, overall health-related funding (including immunizations, Children with Special Health Care Needs, education on tobacco and abstinence, and a number of other programs, in addition to Children's Medicaid and the Children's Health Insurance Program, saw a per-child decrease.

2015. The most significant health care issue, Medicaid expansion, was completely ignored by the 84th Legislature. There was no consideration or deliberation on any Medicaid expansion laws in Texas.

The Appropriations Committee did have one meeting to consider the possible loss of the federal 1115 Waiver money. No actions were taken. The cost of uncompensated care in Texas is partially paid for by the Affordable Care Act 1115 Waiver. The 1115 Waiver was meant to be a temporary solution to uncompensated care while the Affordable Care Act was ramping up. Now the federal Center for Medicare and Medicaid Services is threatening to cut the 1115 waiver to encourage Texas to participate fully in the Affordable Care Act and allow more citizens access to health insurance.

Meanwhile the Children's Health Insurance Program continues to be an available insurance program for Texas. With the Affordable Care Act more children qualified for Medicaid. Rider 50 to the Texas budget was added at the last minute. The rider removed \$350 million for therapy services for children with special health care needs.

2019. We have been following several important bills which could have improved access to health care services for women and children in Texas. Unfortunately, despite vigorous advocacy by individuals and organizations committed to maternal and child health, only one of these bills passed and was signed by the Governor.

Efforts were made this session to expand Medicaid coverage in Texas under the Affordable Care Act. This would have required an amendment to the Texas Constitution as well as enabling legislation. The House failed to pass the bill providing for the constitutional amendment, and the Senate failed to take up the issue.

Medicaid Medical Transportation (HB 25): This bill authorizes a pilot program to allow medical transportation program services to a child if the child is younger than 13 years of age and if the child's mother is: a recipient of Medicaid during a pregnancy; using medical transportation program services to travel to and from a covered health care service related to the pregnancy, including postpartum care; regardless of whether the child is also a recipient of Medicaid. Without this bill, a mother may not be able to take her newborn baby with her when she goes for post-partum care. Although this may seem like a small improvement, it would enable a mother to receive essential care to maintain her own health, and the mother's health is key to the well-being of the child. This bill was passed by both the House and Senate and was signed by Governor Abbott.

Bills Which Did Not Pass: The Texas Senate failed to take up the maternal health coverage bill (HB 744), which would have addressed the high maternal mortality rate in Texas by extending Medicaid coverage for pregnant women to 12 months post-partum. The Texas Senate also let the provisions of the Child Health Coverage bill (HB 342) die; these provisions were included as an amendment to SB 1105 and would have reduced the onerous administrative paperwork that is now required to keep a child on Medicaid for 12 months. A bill to provide contraception with parental consent for CHIP recipients (HB 800) and a bill to prevent insurance plans from switching enrollees off medications that are working (HB 2099) also died in Senate committees. Finally, the Texas House voted down an amendment to implement Medicaid expansion, and the Texas Senate did not discuss the issue.

Yes, this has been a disappointing year for children and pregnant women in Texas who need access to health care services. The legislative session is over, but the problem has not gone away. In the coming months, we will be watching for opportunities to improve access and care by other means. We will also be looking to 2021, our next opportunity to improve child health by legislative action.

G. Health Care System for Older Texans

2001

The League of Women Voters of Texas supports a comprehensive health care system for older Texans that ensures a seamless continuum of quality care.

Access to health care should include:

- Statewide and local information and referral networks which provide clear, correct, and consistent information about publicly funded health care programs and eligibility requirements.
- Development of programs to provide adequate and affordable transportation for clients and health care providers.

Health care for older adults should include:

- Integration of health care services, including developing an individual health care plan and providing a continuum of services, such as health care screening, prevention services, acute care, long-term care, and hospice care.
- A variety of long-term care services and alternative housing options in sufficient quantities to provide the level of care appropriate for each individual.
- Options that include home and community-based services, in addition to institutional care.
- Programs that address limitations to access in rural and other medically underserved areas for dentistry, hearing and vision services, mental health services, and long-term care.
- Innovative programs that use waivers and blending of funds to customize services to fit individual and community needs.
- Access to prescription drugs which is not limited by the ability of an individual to pay for them.

Actions to achieve high quality health care should include:

- Adoption and strict enforcement of high standards for all long-term care services for older Texans.
- Programs to improve the training, pay, benefits, and retention of personnel engaged in planning, regulation, and delivery of care.
- Policies that promote training in geriatrics at all levels of medical and nursing education
- Coordination of benefits from Medicare, Medicaid, and other publicly funded programs in order to serve individuals who are eligible for more than one program.
- Sufficient funding to support comprehensive, high quality health care for older adults.

Explanation: Health Care System for Older Texans

Reflecting a widespread interest in issues surrounding health care, delegates to Convention 1999 approved the Continuum of Health Care for Older Adults study. Focused on health care options for older adults, the study examined existing laws and regulations relating to health care for older adults, a wide range of health care options for indigent and non indigent older adults at varying states in their lives, and accessibility to available health care options including the financial implications of these options. A study committee produced Facts & Issues: A Continuum of Care: Health Issues for Older Adult (2000), which was distributed to League members, public

officials and agencies, and other interested groups and individuals. Consensus was reached in the fall of 2000, and the state board approved the new position in November of that year.

History: Health Care System for Older Texans

2001. The League followed a large number of bills related to long-term care, nursing homes, and related areas. Many of the bills passed and indicate that Texas is taking health care more seriously than in the past. Bills related to pharmaceuticals will allow more information about pharmaceutical assistance programs, bulk purchasing of prescription drugs, and a state prescription program for certain Medicare beneficiaries. Other bills would allow for dental services to some recipients of medical assistance, require health maintenance organizations to provide periodic health evaluations, establish a medical assistance buy-in pilot program for certain people with disabilities, and establish a program of all-inclusive care for the elderly. Other bills that passed will improve case management for Medicaid recipients and improve services through telemedicine.

Other bills that passed will improve health care in rural areas, further protect nursing home residents, and provide an opportunity for nursing homes to purchase liability insurance from the Texas Liability Insurance Underwriting Association as well as allowing the state to make grants to nursing homes that demonstrate best practices. A temporary measure to rescue nursing homes as a result of the current crisis in liability insurance also passed. This law includes means to insure quality of care with an early warning and amelioration process and a quality assurance fee (or bed tax) for nursing homes in order to increase nursing home reimbursement rates.

2003. The 78th Legislative Session was faced with a budget crisis that resulted in decreased funding of health care for the elderly and disabled. Community care programs were reduced. Medical services for the elderly on Medicaid will no longer cover counseling, podiatric and chiropractor care, eyeglasses, hearing aids, and other optional benefits. The personal needs allowance for those on nursing home Medicaid was also reduced although legislation was proposed in the first special session to reverse this.

Texas Health and Human Services is being reorganized and a state agency created called the Department of Disability and Aging will be responsible for programs that were originally under the Department of Aging. Whether these changes will be more efficient is yet to be seen. The budget crisis drove the legislative session, and hence this was not a good session for the advancement of care for the elderly.

2005. The major concern for the 79th Legislative Session was funding of programs and the hope that cuts from the 78th Session would be restored. Funding to provide eyeglasses, hearing aids, mental health services, and podiatry benefits for adult Medicaid clients was restored. The 79th Session budget provides funds to increase enrollment in a number of non entitlement community care and health programs that had been reduced in the previous session. The budget assumes lower caseloads for Medicaid and cost per client and includes funding to reduce waiting lists. There is some anticipated cost savings from greater management care for the aged, blind and disabled Medicaid clients. Proposed change to Medicaid Managed Care was most controversial. Some compromises were made and some models will be implemented in the Dallas area.

Long-term care programs now reside in the Department of Aging and Disability Services. Most Department of Aging and Disability Services are through Medicaid. Nursing facility rates were not restored nor increased, and there is a possibility of a nursing home deficit. At the last minute, the governor vetoed a quality assurance fee, a type of bed tax on nursing homes that would have provided funds for rate restorations and increases to nursing home facilities. Consequently this leaves Department of Aging and Disability Services without state funding for nursing home rate restorations or updates and without basic operating funds. Medicaid provider rates were not increased nor restored to previous rates, but remain at the 2003 rates. In addition the personal needs allowance remains at the 2003 level.

2007. The 80th Legislature passed no major legislation for senior health care. The personal needs allowance for nursing home Medicaid recipients was increased to \$60/month. A bill was passed to establish the creation of nursing home family councils. Legislation was passed to make long term care insurances for Medicaid consistent with federal law under the Deficit Reduction Act of 2005.

2013. The debate over Medicaid overshadowed much of the session. Sweeping changes were proposed relating to how the state administers the program. Some of the changes came from studying the changes to Medicare in the Affordable Care Act. Many of the changes are expected to improve the quality of care and cost effectiveness of the Medicaid program and to combat fraud.

SB 7 and SB 8, by Senator Jane Nelson, contained some of the largest changes to the way the state administers Medicaid. SB 7 redesigns long-term and acute-care services for the elderly, who are among the most costly services provided by Medicaid, and allows Medicaid managed care to cover services provided in nursing homes. SB 8 bars providers who have been found guilty of Medicaid fraud in Texas or elsewhere from participating in the Texas program. Legislators turned down Medicaid expansion and the \$90 billion it would provide over 10 years.

Medicaid reimbursement for many services did increase. For example, nursing home reimbursement increased 2% the first year and 4% in the second year. Attendant care salaries were increased \$.50 in 2013 and \$.50 more in 2014. Legislation passed to establish a reuse program for durable medical equipment provided to recipients under the Medicaid program.

H. Post-Divorce Payments

1982, 1997

The League of Women Voters of Texas supports changes in Texas laws that would enable a court to award adequate post-divorce payments to a spouse when appropriate.

History: Post-Divorce Payments

1995. A bill enacted in the 1995 Legislative Session removed the stigma of notoriety from Texas as the only state in the U.S. that did not allow its courts the option of ordering post-divorce (alimony) payments. The new law gives courts discretion to order alimony payments for an ex-spouse who is unable to support her or himself, if the couple has been married at least 10 years. In each previous legislative session dating back to 1982, similar, League-supported measures were passed by the Texas Senate but died in the House. Although the 1995 legislature enacted a law awarding postdivorce payments (spousal maintenance or alimony), the new law is very limited. Consequently, the 1995-97 Periodic Program Review Committee added the word "adequate" and urged retention of the position.

I. Services for People With Behavioral Health Disorders

1988 (See also LWVUS position "Health Care" in Impact On Issues)

The League of Women Voters of Texas supports the right of all persons who have behavioral health disorders to have access to services designed to help them reach and maintain an optimal level of functioning in the least restrictive environment.

The League believes that state government should ensure that the following services are accessible to persons with behavioral health disorders:

- Residential services
- Nonresidential services
- Continuity of care services
- Outreach to those who cannot or will not seek assistance
- Programs for special populations

The League supports these actions to improve the number and quality of services available for people with behavioral health disorders:

- Provide incentives for community-based residential programs.
- Implement measures to encourage public and private funding of long-term rehabilitative care.
- Provide technical assistance to, and regulation of, housing providers, such as room and board homes that house patents with behavioral health disorders.
- Implement measures to prevent discrimination and encourage community acceptance of residents with behavioral health disorders, including community education about serious behavioral health disorders.

- Supplement federal Supplemental Security Income (SSI) payments for mentally disabled persons.
- Allocate state funds to local mental health authorities according to need for services and performance level and quality.
- Provide incentives for local mental health authorities to develop residential services for persons who are most difficult to place.
- Increase the number of physicians who receive training in the public system for behavioral health disorders.
- Expand academic and research opportunities in the public system for behavioral health disorders.
- Require continuing education and in service training for mental health professionals and direct care staff in the public system for behavioral health disorders.
- Provide higher salaries and benefits as required to attract and retain qualified personnel in the public health system for behavioral disorders.

The League supports funding of services for persons who have behavioral health disorders by:

- State government.
- State government through participation in federal programs.
- City, county and other local governments.
- Private insurance.
- Individuals to the best of their ability.

The federal government is currently the major funding source for research on behavioral health disorders. The League supports sharing the responsibility for financing research on the prevention, causes, treatment, and need for treatment of those with behavioral health disorders with state government and the private sector.

Explanation: Services for People With Behavioral Health Disorders

League delegates to Convention 1987 adopted a new study of the state mental health and mental retardation system, with emphasis on persons who are seriously mentally ill. There was excellent participation in the study with 75% of local Leagues responding. The consensus indicated strong support for access to a range of high-quality services by Texans with serious mental illness and public education regarding serious mental illness to combat stigma and discrimination against persons who suffer from it. The position on services for the seriously mentally ill was adopted in November 1988.

History: Services for People With Behavioral Health Disorders

1989. League efforts focused primarily on increasing the Texas Department of Mental Health and Mental Retardation budget in order to initiate programs for youths and to expand services to rural areas. Although the final budget was an expansion over previous levels, it primarily reflected the increased cost of providing current service levels and some court-mandated reforms for hospitalized clients. A small amount of funding was designated for programs for children and youth. The League also opposed several discriminatory bills, which ultimately died. These bills would have significantly reduced access to housing, within residential areas, for disabled persons including the mentally ill.

1990-93. During the 1990 interim, the LWVTX testified before a hearing of the Senate Health and Human Services Committee to reiterate our support for private board and care homes operated in a responsible fashion. The 1991 Legislative Session produced successful legislation clarifying the regulatory and licensing procedures for board and care homes and outlining a bill of rights for residents and providers. Although not active on this specific issue in the 73rd Legislature, the League worked to maintain funding levels for human services programs, including those for the mentally ill.

1994-95. During the legislative interim, the LWVTX presented testimony to an advisory task force of the Texas Department of Mental Health and Mental Retardation charged with delineating authority/provider roles. The League objected to the proposed separation of local authority from local providers, noting the need for the authority and provider to be one entity at the local level to ensure accessibility, continuity, and flexibility of assistance to those in need of services.

2005. The legislative priority for the 2005 Session was to work to influence the legislature to maintain or increase the current funding level for services for the seriously mentally ill, when appropriate, combining efforts in coalition with other organizations. We appreciate being able to work with the Mental Health Association of Texas, and in particular, the Mental Health Association of Greater Dallas.

The final budget bill included the following mental health items: \$20 million added statewide for adult community mental health, \$3 million added statewide for children's community mental health, \$15 million added statewide to increase state psychiatric hospital bed capacity, \$3.3million added for full restoration of Children's Health Insurance Program mental health benefit, \$44 million added

for restoration of Medicaid adult psychological counseling benefit, and \$195 million for the NorthSTAR program.

The following mental health related bills were signed by the governor: (a) HB 224 (Corte): Prevents a minor from discharging him or herself or refusing psychoactive medication under specified conditions, and (b) SB 1473 (Lindsay)/HB 2524 (Coleman): required that all law enforcement officers, veterans as well as cadets, receive training on de-escalation and crisis intervention techniques for dealing with persons with mental impairments. HB 2572 (Truitt), authorizing a local mental health and mental retardation authority to determine whether to provide services directly or to contract with another organization to provide service, was vetoed.

2007. The LWVTX worked to influence the legislature to maintain or increase the current funding level for services for the seriously mentally ill. A request by the Department of State Health Services for \$82 million in new dollars for mental health crisis services was full funded. The additional funding will allow the state to pen six new psychiatric emergency observation sites, provide children's outpatient and crisis stabilization for 87,000 people, and to train and certify 340 community center staff to respond to crisis calls. In addition, funding provided for state mental health facilities totaled \$634 million, a \$14.6 million increase to maintain the 2007 caseloads.

Legislation for parity to require health insurance plans to cover treatment for serious mental health disorders advocated by the LWVTX did not make it through the process. However SB 568 (Ellis), which mirrored pending federal legislation, and HB 510 (Fabree) made it through respective chambers. The features of both pieces of parity legislation were attached to HB 1919 relating to health insurance coverage for individuals with brain injury, however at the last minute these were stripped from the bill in conference committee.

2011. The League monitored legislation affecting mental health and substance abuse services throughout the legislative session and encouraged members through the *Legislative Newsletter* to contact their congressional representatives serving on the relevant committees and when budget considerations came to the floor of both houses in support of League positions. In light of current language being used to describe mental health and substance abuse issues, it was recommended and adopted that the issue title be changed to "Services for People with Behavioral Health Disorders."

Although the Texas Legislature generally maintained 2010-11 levels of funding for mental health in the Department of State Health Services budget, this must be understood in the context that Texas is at the bottom of all 50 states in per capita spending for public mental health services. While community-based services for children were increased by almost \$21 million, community-based services for adults were decreased by over \$11 million, and substance abuse treatment services were decreased by over \$29 million. Substance abuse treatment services are critical because of the large number of people with mental illnesses who have co-occurring substance abuse disorders.

2013. While Texas continued to be at the bottom of all 50 states in per capita spending for public mental health and substance abuse services, the legislature did provide an additional \$350 million for the biennium. This significant increase was in large measure motivated by several tragic mass shootings of people attending a political event, people at a movie, and children and teachers in an elementary school. Young people with histories of mental illness conducted the three shootings.

Some 70 bills related to mental health were filed and the LWVTX monitored and advocated for those related to our positions. In addition to our highest priority for increased funding, the most significant bills passed include the

following: (a) authorization of a study of the mental health workforce shortage, (b) facilitation of best practices in hospital emergency rooms for Screening, Brief Intervention and Referral to Treatment in cases of injuries from substance use/abuse, (c) authorization of a study of the need statewide for forensic and civil hospital beds, (d) expansion of the number of mental illnesses eligible for treatment (previous law limited coverage to major depression, bipolar disorder, and schizophrenia), and (e) funding for mental health first aid training statewide, (f) integration of mental health with the rest of the health care system in the Medicaid program (g) provision of improved mental health awareness and suicide prevention training for public school educators and staff, and (h) clarification of judicial authority to court-ordered outpatient treatment for people with mental illness.

2017. Congratulations to the 85th Texas Legislature! There were many, many good bills supporting behavioral health introduced this session, 41 of which the League actively supported. Of these, 22 were finally passed.

Of the \$1 billion appropriate from the Rainy Day Fund, \$300 million will be dedicated to state-run mental hospitals for new construction, significant repairs, and increased capacity. Also appropriated were \$62.7 million to eliminate projected waiting lists for community mental health services for adults and children, \$37.5 million for a new mental health jail diversion program, and \$160 million for deferred maintenance at state schools and hospitals.

Under the leadership of Chairman Four Price, the House Select Committee on Mental Health passed four significant bills: HB 10, HB 13, HB 1486, and HB 3083. Their provisions include: (a) an ombudsman position for behavioral health access to care, (b) a mental health and substance use disorder parity work group to coordinate state and federal rules and statutes about benefits for these disorders, (c) requirement for the Health and Human Services Commission to establish a matching grant program for the purpose of supporting community mental health programs and provide services and treatment to individuals experiencing illness, (d) a provision in Tex. Gov. Code requiring the Health and Human Services Commission to adopt rules on the training and certification of peer specialists for mental health, and (e) a chemical dependency counselor for those who are eligible to receive repayment assistance on college loans.

House bills supported by the LWVTX that passed include

an annual mental health screening under Texas health Steps program for children aged 12-18 years, mental health services for first responders, workman's comp for fire fighters and peace officers who develop PTSD, maternal depression screening.

Senate bills supported by the LWVTX that passed include intervention for veterans, psychiatric rehabilitation services to children and their families, requires the Texas Veterans Commission to create a veterans suicide prevention plan, post investigation psychological counseling for a grand juror in a grand jury investigation, clarifies the definition of psychology and therefore prevents those who are not licensed by the Medical Board from claiming to be psychologists.

2019. Here is a breakdown of major behavioral health bills that passed and have been signed by the governor:

School Behavioral Health/School Climate

- HB 18 (Price) Relating to consideration of the mental health of public school students in training requirements for certain school employees, curriculum requirements, counseling programs, educational programs, state and regional programs and services, and health care services for students and to mental health first aid program training and reporting regarding local mental health authority and school district personnel.
- HB 19 (Price) Relating to mental health and substance use resources for certain school districts.
- SB 11 (Bonnen) Relating to policies, procedures, and measures for school safety and mental health promotion in public schools; making an appropriation.
- SB 504 (Seliger) Relating to the inclusion of certain information in postsecondary education and career counseling academies developed for certain school counselors and other postsecondary advisors employed by a school district.

Foster Care, Trauma, and Behavioral Health

- HB 53 (Minjarez) Relating to the transitional living services program for certain youth in foster care.
- HB 72 (White) Relating to the continuation of Medicaid benefits provided to certain children adopted from the conservatorship of the Department of Family and Protective Services.
- HB 475 (Howard) Relating to information for foster children who are pregnant or minor parents.
- SB 355 (West) Relating to developing a strategic plan to ensure the provision of prevention and early intervention services complies with federal law.

Maternal Behavioral Health

- HB 253 (Farrar) Relating to a strategic plan to address postpartum depression.
- SB 750 (Kolkhorst) Relating to maternal and newborn health care and the quality of services provided to women in this state under certain health care programs.

Criminal Justice and Behavioral Health

- HB 601 (Price) Relating to procedures and reporting requirements regarding criminal defendants who are or may be persons with a mental illness or an intellectual disability.
- HB 1342 (Leach) Relating to the consequences of a criminal conviction on a person's eligibility for an occupational license.
- SB 652 (Zaffirini) Relating to the delivery of certain mental health information regarding a defendant transferred from a county to the custody of the Texas Department of Criminal Justice, the commitment of certain defendants for competency restoration, and the use of telepsychiatry in determining whether a defendant is manifestly dangerous before commitment.

Substance Abuse

- HB 4298 (Murr) Relating to the licensing of satellite offices of outpatient chemical dependency care facilities.
- SB 340 (Huffman) Relating to the creation of a grant program to assist law enforcement agencies with the purchase of opioid antagonists.
- SB 436 (Nelson) Relating to state-wide initiatives to improve maternal and newborn health for women with opioid use disorder.
- SB 1564 (West) Relating to access to medication-assisted treatment for opioid use disorder under Medicaid.

Telehealth Services

- HB 3345 (Price) Relating to health benefit coverage provided by certain health benefit plans for telemedicine medical services and telehealth services.
- HB 4455 (Miller) Relating to the provision of mental health services through a telemedicine medical service or telehealth service.
- SB 71 (Nelson) Relating to the establishment of a statewide telehealth center for sexual assault forensic medical examination.

Other bills to address behavioral health

- HB 1590 (Howard) Relating to the establishment of the Office for Sexual Assault Survivor Assistance within the criminal justice division of the governor's office.
- HB 1735 (Howard) Relating to sexual harassment, sexual assault, dating violence, and stalking at public and private postsecondary educational institutions; providing an administrative penalty.
- HB 2813 (Price) Relating to the state-wide behavioral health coordinating council.
- SB 37 (Zaffirini) Relating to the abolition of student loan default or breach of a student loan repayment or scholarship contract as a ground for nonrenewal or other disciplinary action in relation to a professional or occupational license.

J. Transportation

2006 See also LWVUS position "Transportation" in Impact On Issues)

The League of Women Voters of Texas supports a transportation system to move people and goods that includes a variety of transportation modes, with emphasis on increased transportation services and other viable alternatives; that is efficient, convenient, and cost effective; that services all segments of the population and diverse geographic needs; that minimizes the harmful effects on the environment, is integrated with land use, and is supported by extensive public education.

Planning for transportation projects should be accomplished by:

- Cooperation and coordination among agencies and different levels of government.
- Timely, informed citizen input in the planning process.
- Selection of projects based on needs assessment.
- Analyses of alternate routes and modes.
- Analysis of environmental impact.
- Measures to provide public transportation to groups who do not have or cannot drive a private auto (elderly, disabled, youth, low-income).
- Policies encouraging the integration of various modes of transportation to promote seamless systems.

Transportation and land use planning should include the following strategies in order to influence travel behavior:

- Parking fees
- Taxes
- Tolls
- Alternatives to single occupancy vehicle travel (high occupancy vehicle lanes, cars/van pools, bicycle lanes, etc.)
- Flexible lanes for high traffic times
- Land use policies to encourage mixed use development coordinated with public transportation

Construction, maintenance and/or expansion projects should be funded through:

- Tolls on new highways.
- Regional rail authorities with taxing ability.
- Federal funding.
- Usage taxes for commercial vehicles.
- Local user taxes.
- State gas and user taxes.
- Bonds.
- Private sources (developers, etc.).

To alleviate congestion on Texas highways, existing routes should be expanded to include added passenger rail service and expanded freight rail lines. New routes should connect major Texas centers of population, preferably by rail.

Explanation: Transportation

A transportation study, "Texas Public Transportation," was adopted at Convention 2003 as a three-year study, after being recommended by seven Leagues, several of which had local transportation positions. The focus was on current public transportation systems, future needs, and funding availability. In addition, members focused on the impact of public transportation on air quality, land use, and the need for regional public transportation networks. Consensus was completed and adopted by the board in January 2006.

History: Transportation

2006. The League opposed the proposed route for the Trans-Texas Corridor because local and regional planning groups had concerns about economic and environmental effects which were not addressed, their recommendations were not included in the route selection, and major population centers were not connected in a seamless manner.

2007. The LWVTX opposed HB 1892 (Smith), a moratorium bill on Trans-Texas Corridor (includes many other toll roads). Highways 1604 and 281 were not included in this moratorium. Some North Texas roads, which had been approved, were not in the moratorium. The governor vetoed the bill passed by the legislature.

2013. During the 2013 Legislative Session few transportation bills were passed. The major legislation involved a proposed constitutional amendment to allow funds from the Rainy Day Fund to be used for infrastructure repair and expansion. The amendment legislation passed but did not appear on the same ballot as the water amendment in November 2013. The Texas Department of Transportation was challenged to use funds in as efficient way as possible, which resulted in gravel on some rural roads instead of paving. Effects on roads from oil/gas drilling trucks were a concern. There has been much uproar since then and projects have been redirected. Both House and Senate

committees were concerned with congestion (e.g., on I-35W and I-35E), but with limited funds could come up with no funding solution.

Transportation will be a high priority in the coming legislature. High-speed rail from Houston to the Dallas/Fort Worth metroplex, plus the Mexico to Oklahoma City corridor rail, are being addressed by the Texas Department of Transportation. Interim charges include: passenger and freight rail are to be evaluated through a review of the Rail Division of the Texas Department of Transportation, and the port system will be evaluated through a review of the Maritime Division of the Texas Department of Transportation. There was a constitutional amendment on funding that will be on the ballot in November 2014 for use for road infrastructure and improvement. Our current positions enable us to address the proposed legislation in a favorable fashion.

2017. Transportation policy bills did not get very far in the 85th Legislature. High-speed rail bills, toll road bills, red light camera bills, and other bills to address important transportation issues in the state went eight unheard or did not make it far in the process. Only 10 transportation bills that the League followed this session were sent to the governor.

One of the transportation policy bills that was signed into law is a statewide ban on texting while driving. HB 62 has exemptions for using global positioning system (GPS) and emergency messages while driving and for operating devices that play music. But the reading and sending of messages via text, email, messaging applications, and other text-based means is prohibited unless the vehicle is stopped. Also significant was the passage of SB 30, which requires the inclusion of education for drivers on peace officer interactions. This is following a number of police shootings at traffic stops across the country that has come to national attention. A bill that would have permitted the advertisement of voter registration deadlines and voting days on the Texas Department of Transportation message boards along interstate highways did not get a hearing. This was disappointing as the League was prepared to support the bill.

HB 100 was signed into law. And the state will take over the regulation of ridesharing companies while prohibiting local governments from doing so. This is of note to the City of Austin, which banned companies Uber and Lyft from operating in the city last year after the companies did not comply with local regulations. The companies have been operating elsewhere in Texas. SB 312, the bill to continue the Texas Department of Transportation, was signed by the governor. The Texas Department of Transportation was under sunset review this session and was noted as being unprepared to the challenges of the future.

The bills addressing the high-speed rail project between Dallas and Houston did not get very far this session, meaning that for the next 2 years the private company that owns the project has no special limitations to contend with. An overwhelming number of bills did not receive a hearing or were left pending in committee. And most bills did not pass from one house to the other. Bills banning or limiting toll roads also did not move very far (not all toll road have been financially successful). The reverse in position on toll roads from approximately 10 years ago is a policy issue that can have significant impact on many urban commuters in Texas as the state begins to grapple with massive population growth over the next few years.

2019. The 86th Legislature saw the passage of few transportation bills, and nearly half of the bills either established memorial highways or created new specialty license plates. Among the new plates that are now available to passenger vehicle owners are **Register to Vote specialty license plates** (HB 1330), a bill successfully supported by the League!

Toll Roads: The troubled finances of some toll entities and problems with both toll road construction and toll gate sensors have contributed to less enthusiastic support for toll roads from many legislators. HB 803 was signed into law and requires greater financial transparency from toll road entities, which have been criticized for not making their information accessible to the public.

Driver Responsibility program: HB 2048 repealed the controversial Driver Responsibility program. Per the Texas Department of Public Safety website:

"The Driver Responsibility Program establishes a system that authorizes the Texas Department of Public Safety (DPS) to assess surcharges to an individual based on certain traffic offenses that have occurred on or after September 1, 2003. Individuals are notified by mail each time a surcharge is added to their driver record. Surcharges are in addition to other fees and do not replace a suspension, revocation, denial, disqualification or cancellation resulting from the same conviction."

The program had been criticized for contributing to the disproportionate incarceration of low-income individuals, who were unable to pay the charges and subsequently had their driver's license suspended or were jailed after failing to pay the surcharges after 105 days. Critics of the program further asserted that the surcharges trapped people in a cycle of debt. The evidence presented to lawmakers was enough to generate bipartisan support for the passage of HB 2048, which went into effect on September 1, 2019.

Red light cameras: After several unsuccessful attempts in prior Legislative sessions to ban red light cameras, HB 1631 banned red light cameras across Texas. Local law enforcement may no longer use photo enforcement to issue traffic fines and citations.

High Speed Rail: Although high-speed rail has been a controversial issue for landowners and elected official along the proposed Dallas – Houston route, none of the bills regarding the privately owned and operated passenger rail line were passed, leaving another two years without legislative resolution for the issues of rail elevation, coordination with county road cutoffs and re-routes, land acquisition, or multi-modal compatibility, among others.

Other issues: Many cities in Texas have received an influx of electric scooters, which have had both positive and negative responses. SB 549, which would have regulated electric scooters, failed to pass out of the House committee. HB 417, relating to economic impact reviews conducted by the Texas Transportation Commission, would have required analysis and public comment on transportation project impacts to businesses, but did not receive a hearing. HB 2306, relating to a study regarding the public health considerations of transportation planning, was left pending in the House Administration committee.

IV. Natural Resources

A. Climate Change and Air Quality

1960s, 2020 (See also LWVUS positions "Air Quality" and "Climate Change" in Impact On Issues)

The League of Women Voters of Texas believes that climate change is a serious threat facing our nation and our planet.

The League believes that an interrelated approach to combating climate change will protect public health and defend the overall integrity of the global ecosystem. Typically climate change solutions will address:

- Energy conservation
- Air pollution controls
- Development of resilient infrastructure
- Promotion of renewable energy resources

The League supports climate goals and policies that are consistent with the best available climate science and that will ensure a stable climate system for future generations.

The League of Women Voters of Texas supports state government action for control of air pollution in Texas, including:

- Power to set and enforce standards stricter than those required by the federal government.
- Adequate funding to carry out research, planning, and enforcement.
- Legislation allowing local and regional governments to set and enforce standards stricter than those of the state.
- Encouragement of citizen involvement in the rule making and enforcement process.

Explanation: Air Quality and Climate Change

The League has been involved with air quality legislation at the state and national levels since prior to the passage of the Federal Clean Air Act in 1970. In 1977 amendments to the Federal Clean Air Act were passed extending deadlines and relaxing some pollution standards. The Clean Air Act Amendments of 1990 aimed to reduce substantially air pollution from most American cities by the turn of the century. The requirements will protect human health and the environment, while balancing environmental and economic concerns. Provisions include more stringent pollution controls for air quality, motor vehicles, hazardous air pollutants, acid rain, and stratospheric ozone depletion. Areas in Texas not meeting the air quality standards are Houston, Beaumont/Port Arthur, El Paso, and Dallas/Fort Worth. Additionally, Victoria County and Culberson County (Guadalupe Mountains National Park) are being evaluated for non-attainment status.

The vehicle provided under the Federal Clean Air Act to show compliance or a plan to attain compliance is the State Implementation Plan. The League has been involved in numerous revisions of the State Implementation Plan and supports legislation that will promote clean air, such as vehicle inspections, changes in gasoline formulation and/or the use of alternate fuels, and more auto and industry pollution controls.

This position was amended by delegates to Convention 2020 to include a statement on Climate Change. Wording was modeled after the LWVUS position on climate change.

History: Air and Climate Change

1985-89. In the 1985 Legislative Session, the League supported requirements for the state to do periodic reviews of permits and to institute administrative penalties for industry violations of air quality guidelines. We worked in the 1987 Session to maintain these gains. The League also intervened on behalf of the state in the suit brought against Texas by the Texas Association of Business regarding jury trial and administrative penalties. (In 1993, the Texas Supreme Court upheld the lower court's ruling in our favor, affirming the constitutionality of administrative penalties.) The League worked in the 1989 session in support of legislation that promoted the use of alternative fuels in fleets of vehicles such as school buses, taxicabs, and metropolitan transit systems.

1991-93. In 1991 the League supported funding at adequate levels for the Texas Air Control Board and the necessary statutory authority to implement the Federal Clean Air Act in Texas. This legislation ultimately passed during the first special session as part of a reorganization of natural resources agencies. In the 1993 Session, the League supported dedication of revenues from environmental fees, such as those required of air polluters, to environmental regulatory and remedial programs. We also successfully opposed legislation that would have exempted agriculture operations from all state air pollution control requirements. Also adopted in 1993 were legislative changes required to bring Texas clean air programs into compliance with regulations adopted by the U.S. Environmental Protection Agency to implement the Clean Air Act Amendments of 1990. Despite League opposition, the 1993 Session repealed the requirement that school buses convert to alternative fuels. Conversion of school buses is now purely voluntary.

1995. Though environmental protection was a priority for the LWVTX in the 74th Legislature, an antiregulatory mood prevailed. A League-opposed measure that broadens the definition of alternative fuels to include petroleum fuels passed and was signed into law. In addition, despite opposition from the League and environmental groups, the statewide air emissions testing program was scuttled. Centralized testing was abandoned in favor of returning to the old system of tailpipe testing that is done at the time of the annual safety sticker inspection. Known as the Interim Texas Plan, the program will be in effect while the governor, through the Texas Natural Resource Conservation Commission negotiates a program with the Environmental Protection Agency. The new program will be designed to show that Texas meets the requirements of the Federal Clean Air Act while at the same time administers a program of maximum convenience. The League considers these actions to be a major setback to efforts to achieve cleaner air for polluted areas of the state.

1997. The League was unable to support any of the bills concerning air quality that passed during this legislative session. One law authorized Texas Natural Resource Conservation Commission to exempt a permit applicant from meeting pollution control requirements as long as the exemption is consistent with federal law and is at least as protective as the usual standard. Another bill weakened previously enacted laws that required a significant

percentage of the vehicle fleets of state and local government agencies, mass transit authorities, and school districts to use alternative fuels. A third bill allowed grandfathered facilities from the 1970s to continue to receive exemptions from obtaining air pollution control permits for new construction and modification permits. The League did not support a provision that was added requiring the Texas Natural Resource Conservation Commission to develop a voluntary emissions reduction plan for these facilities, which could provide the opportunity for interested parties to address the issue of bringing grandfathered facilities into permitted status. The good news is that several other objectionable air pollution bills failed passage.

1999. As in the 75th Legislative Session, natural resources was one of our legislative priorities: advocacy to promote funding and policy initiatives supporting environmental protection and public participation. In 1999 the legislature revisited the issue of grandfathered facilities, those facilities that were exempted from having to obtain air pollution control permits as they were in operation prior to implementation of the Federal Clean Air Act in 1970.

Believing that 30 years is long enough, the LWVTX worked with a broad coalition to require that all air-polluting facilities be required to comply with laws protecting public health by a certain date. A House bill would have set a deadline to require facilities to be permitted, would have required the use of best available technology, and would have ended the volume discount for polluters that only had to pay fees on the first 4,000 tons of emissions. However, what passed was a bill implementing the governor's voluntary program for moving grandfathered polluters into the air control permitting process.

The greatest success in cleaning up Texas air came through the electric deregulation/restructuring bill that was passed and signed into law. Although the League does not have a position on electric deregulation, the LWVTX testified before the Senate and House committees urging them to consider (in the legislation) the importance of public participation and education, the impact on public health and the environment, the use and conservation of energy, and the development of renewable energy resources.

Language in this bill requires about 100-grandfathered power plants to reduce emissions by 50%. With that provision, the exemption loophole was removed from roughly 30% of the state's total grandfathered facilities. Together the two bills will ensure that 60% of the annual emissions by grandfathered plants, or about 540,000 tons of air pollutants, will now have to begin to meet clean air standards. This stands as the biggest win for the environment this session.

2001. The 77th Session was the best in a decade for air quality. Important air quality bills that were strongly supported by the League and signed by the governor included the Texas Natural Resource Conservation Commission Sunset/Reauthorization bill that ended the grandfather loophole. After 4 years of sustained work by environmental and public interest groups, including the LWVTX, the legislature finally ended the 30-year-old loophole for grandfathered plants, forcing Texas' oldest, dirtiest industrial plants to meet modern clean air standards. The law defined new standards for "upset emissions" of pollution, required that all emissions be reported within 24 hours, made the source come up with a corrective action plan, and provided penalties.

A large setback came when the legislature failed to remove the fee cap or volume discount collected under the Federal Clean Air Act on air emissions above 4,000 tons. The League, along with our coalition partners, lobbied hard on this issue.

In another major victory for cleaner air in Texas, the Texas Emissions Reduction Program provided three types of incentive programs: (a) rebates to consumers for the purchase of low-emission and alternative fuel vehicles, (b) incentives to use more fuel-efficient building materials and appliances, and (c) assistance to companies that agree to retrofit or replace high polluting diesel engines. Another bill expanded vehicle emissions inspection and maintenance requirements to counties beyond the one specified by federal requirement. The LWVTX supports a regional approach to solving air quality problems.

Other legislation establishes the Clean Coal Technology Council, requires the Texas Natural Resource Conservation Commission to suspend operations for a rock crusher or cement batch plant found to be operating without a permit,

allows the Texas Natural Resource Conservation Commission to authorize emissions reductions achieved outside the United States to satisfy emission reduction requirement in international border issues, and allows the Texas Natural Resource Conservation Commission to waive public notice and hearing requirements under certain conditions during construction or modification of a facility. In a loss for the environment, the legislature enacted a provision that prevents the Texas Natural Resource Conservation Commission from requiring petroleum marketers to sell cleaner grades of motor fuels in Texas markets.

2003. In a session in which environmental protection was rolled back dramatically, funding the Texas Emissions Reduction Program was a rare positive for Texans. Although the Texas Emissions Reduction Program was adopted by the 2001 Legislature and signed into law, a court in 2002 ruled the main funding mechanism unconstitutional. Without the 16.3 tons of emissions reductions per day in the Dallas-Fort Worth area and 18.9 tons per day in the Houston area, last year the Environmental Protection Agency threatened to reject the state's urban smog strategies in the State Implementation Plan. So the legislature was under pressure to find the money to fund the program.

Last minute action by both the legislature and the governor prevented federal intervention by funding a program to replace dirty, old diesel-powered construction equipment. Consistent with the prevailing mood of legislators regarding public health and the environment, a state program on low-sulfur diesel fuel was replaced by less stringent federal rules that could increase pollution by 6 tons per day statewide. The new law also eliminated the program of rebates to consumers for the purchase of low-emission and alternative fuel vehicles.

As passed, the Texas Emissions Reduction Program provides assistance to companies that agree to retrofit or replace high-polluting diesel engines and pays for research into new clean air technologies. To pay for it, the plan raises vehicle title transfer fees Texans pay when buying new cars and adds surcharges for on- and off-road diesel vehicles and equipment.

Another LWVTX supported bill that passed allows areas with early action compacts with the Environmental Protection Agency to establish motor vehicle inspection and maintenance programs as an air control strategy. Formerly only areas designated nonattainment were allowed to have inspection and maintenance programs, and other areas were prohibited.

Despite the budget shortfall, the legislature took no action to raise or remove the cap on the air emissions fee. They also failed to prohibit the use of hazardous waste as a fuel in cement plants.

The LWVTX supports efforts to force polluters to pay for all emissions and to tighten the regulation of cement kilns, as the current permits are inadequate to protect air quality.

2005. The quality of the air in Texas was a low priority for the 79th Legislature. No significant piece of clean-air legislation passed, although many areas of the state face severe air-pollution problems. In fact, the legislature worked hard to cut the Texas Emissions Reduction Program, which since 2001 has provided hundreds of millions of dollars in grants to help companies replace older, dirtier diesel-powered construction equipment. Off-road equipment such as bulldozers and cranes contribute a significant portion of the state's pollution. The legislature even proposed cutting in half the fund that helps low-income motorists repair vehicles that fail the annual emissions test required in nonattainment areas of the state, but restored that fund to current levels at the end.

The enactment of the Texas Emissions Reduction Program in 2001, an economic incentive program to reduce air pollution instead of punishing polluters, was hailed as a model for the nation and was crucial to gaining Environmental Protection Agency approval for State Implementation Plans in Dallas-Fort Worth and Houston-Galveston Area. As a compromise, that legislature did not restrict use of heavy construction equipment during the summer smog season nor did it impose a requirement for faster replacement of old, high polluting diesel engines by providing funding through the Texas Emissions Reduction Program for voluntary replacement by diesel-dependent industries.

The reason given was the budget constraints. But a proposal on raising operating permit fees from the current cap of 4,000 tons per day (no matter how much air pollution is emitted) to 8,000 tons per day never was considered. Proposals requiring the Texas Commission on Environmental Quality to make the amount of a penalty for air or water pollution at least as much as the value of any economic benefit gained by the polluter through the violation had little consideration. Both these would have increased revenue and would have made it more beneficial to business to prevent pollution.

Unfortunately, the health of residents living near industrial plants had low priority. A proposal that would have required the state to develop enforceable health-based pollution standards to protect residents living near industrial plants choked legislators. Proposals to monitor and control toxic air emissions near those plants, along with requiring consideration of cumulative effects of pollution, went nowhere.

Ongoing action in the air quality portfolio involves cement batch plants in Ellis County. While these plants contribute half the industrial pollution in North Texas, they were not included in the Dallas Fort Worth area nonattainment area under the old 1-hour standard. Their permits allow them to emit more pollution than other industrial plants in Texas. When the Environmental Protection Agency designated nonattainment areas under the new 8-hour standards in 2004, they included Ellis County in the Dallas-Fort Worth area. One plant had a permit change request under review to turn off the scrubbers as it costs them too much to operate them at their desired profit levels. That was not approved before the Environmental Protection Agency designation, so the law does not allow them to cite economic disincentive. We gave input to include Ellis County in the Dallas-Fort Worth area nonattainment area as well as to request denial of this permit change.

Border issues. The League followed a number of issues that were unique and/or critical to the border region. Many of the bills were directed at vehicular traffic, electronic and clearance checks, coordination of activities between various government agencies, and the review and development of road projects.

2007. Many bills were filed in the Legislature concerning air quality. However, only two passed and Senator Averitt, the Senate Natural Resources Committee Chairman, introduced those. The first updated the Texas Emissions Reduction Plan and the Low-Income Vehicle Repair Assistance Program. These programs were both funded.

The second bill required that not only should a preconstruction permit be reviewed every 10 years, it must also be reviewed during the permit amendment process—a great step forward. The League testified many times on the various bills that were introduced, including many that did not pass. These include the toxic hotspots bills, fence-line monitoring, California standards for cars and light trucks, establishing an air pollutant watch list, and a clean school bus bill.

2009. Once again, many bills were introduced in the Legislature regarding air quality. Many were also introduced regarding climate change. Only three passed, however. Senator Averitt, chairman of the Senate Natural Resources Committee, introduced an omnibus bill which included air quality and climate change. Unfortunately, this bill did not pass, though parts of it were added to another bill that did pass and was signed by the governor. Those parts which were added include the Texas Emission Reduction Program extension through August 31, 2019, a requirement that the Department of Agriculture, Texas Commission on Environmental Quality, Public Utility Commission, and Railroad Commission collaborate in the federal government process for developing federal greenhouse gas reporting requirements and the federal greenhouse gas registry requirements, and a program for new technologies for emissions control that requires best available control technology as defined by the Federal Clean Air Act instead of the Texas Commission on Environmental Quality—a major gain. Not included in the floor amendment were building energy codes, idling of motor vehicles, maximum weight for vehicles with idle reduction systems, housing partnership program rebates, and an online emissions database.

A bill by Senator Watson passed relating to "no regrets" greenhouse gas emissions reduction strategies to be prepared by the Texas Commission on Environmental Quality by December 31, 2009. The third bill that passed was by Senator Gallegos. It requires a permit applicant or the applicant's designated representative to attend a public

meeting on the permit application. So they can't just skip out. We also prepared testimony for several bills that dealt with cement kilns. Regrettably, none passed.

2011. While much of our time was spent fighting off bad bills in the 82^{nd} Legislature, we did have a number of successes—primarily the passage of the Sunset Bill for the Texas Commission on Environmental Quality. Changes to the Texas Commission on Environmental Quality include the following:

- The Texas Commission on Environmental Quality is to develop and implement a policy for negotiated rulemaking and alternative dispute resolution.
- The executive director is charged with making sure that the agency is responsive to environmental and citizens' concerns, including environmental quality and consumer protection. This was formerly under the purview of the Public Interest Council.
- The Public Interest Council is to ensure that the Texas Commission on Environmental Quality promotes the public interest. However, the primary duty of the office is to represent the public interest as a party to matters before the Texas Commission on Environmental Quality.
- The Texas Commission on Environmental Quality by rule shall develop standards for evaluating and using compliance history that ensures consistency. However, the compliance history shall not exceed 1 year from the date of issuance of each notice of violation. In addition, compliance history is to be classified as "satisfactory, unsatisfactory, or above satisfactory."
- Fees are changed in the Health and Safety Code from not to exceed \$2,500 per day to "not to exceed \$5,000 per day." All other violations are changed from not to exceed \$10,000 per day to "not to exceed \$25,000 per day for each violation."
- The Texas Commission on Environmental Quality is to develop a policy to prevent regulated entities from systematically avoiding compliance through the use of supplemental environmental projects.

In addition, Representative Howard's bill passed that if a person violates a rule set by the Texas Commission on Environmental Quality relating to idling limitations, that person commits a Class C misdemeanor. Representative Burnam's bill adds electric vehicles and natural gas vehicles to vehicles covered by the Low-Income Vehicle Retirement Program.

With regard to climate change, we worked hard opposing Representative Hancock's bill-a Concurrent Resolution urging Congress to prevent the Environmental Protection Agency from regulating greenhouse gases from stationary sources-and it failed. Another bill that failed was by Senator Hancock and would have allowed Texas to participate in a Regional Air Quality Compact with one or several states, thus avoiding the Environmental Protection Agency jurisdiction. Needless to say, we opposed this bill. In addition, Representative Craddick's bill allowing oil and gas facilities to have reduced permit requirements failed.

We prepared testimony which was presented to the Environmental Protection Agency on the Plan for Texas under the Prevention of Significant Deterioration Rule, the proposed Environmental Protection Agency ozone rules, and the proposed rules on New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants for the oil and gas industry, including hydraulic fracturing. We also encouraged local leagues to become involved in the Clean Air Promise, a campaign of the LWVUS.

2013. Of the 26 bills we watched closely, five bills that we supported passed, and nine bills that we opposed didn't pass. That's 14 of 26, more than half–a real plus for our environment. The most important bills that passed were the rewriting of the legislation regarding the Texas Commission on Environmental Quality, more funding for the Texas Emissions Reduction Program, and encouraging the capture and utilization of carbon dioxide for use in enhanced oil recovery.

Important bills supported by the LWVTX that passed included increases the funding for the Low Income Repair and Replacement Assistance Program from \$5 million to \$10 million.

Major bills opposed by the LWVTX included a bill dealing with greenhouse gas emissions which was amended in such a way that we could no longer support it. The bill now indicates that it is not subject to contested case hearings

and that fees for exceeding emissions of greenhouse gases are limited to the cost of imposing the fee. We submitted testimony opposing the bill unless changed. Unfortunately, the bill passed and was signed by the governor.

2015. Air quality. Successes were important this legislative session as we were, as always, in defensive mode. Many bills we opposed died in committee.

Climate change. Few legislators were interested in climate change. However, one bill passed and another introduced that will continue. Representative Farrar introduced HB 706, which allows an exemption from ad valorem taxation of property on which a solar or wind-powered energy device is installed or constructed. Representative Anchia introduced HB 2078 establishing a Global Climate Change Commission to study the impact of climate change in Texas from a global perspective. The LWVTX gave testimony supporting this bill, including a definition of greenhouse gases that Representative Anchia said was the best definition he had heard. His goal is to inform his committee and others about the importance of climate change. He intends to speak to every member of the legislature about the growing impact of climate change on the earth.

2017. Air quality. The LWVTX supported HB 2003 (Zerwas) that relates to money used by certain counties for low-income vehicle repair assistance, retrofit, and accelerated vehicle repair assistance programs; and local initiative air quality projects. Left pending in the Senate Natural Resources & Development Committee.

Climate change bills were supported by the LWVTX but they did not pass.

(HB 773 E.Johnson) related to information on projected changes in weather, water availability, and climate variability in strategic plans of certain state agencies. Died in House State Affairs Committee. HB 445 (Frank) to ad valorem tax incentives for wind energy. Died in Chamber.

2019. During this session a total of 10 **climate change** bills and three resolutions were filed in the House, and one in the Senate. The 86th Texas Legislative Session showed a dramatic increase in the public's interest in climate change legislation. Unfortunately, only **HB 219** authored by **Ron Reynolds** received a committee hearing (Urban Affairs) and it was "left "pending." HB 219 required that long range municipal planning include adoption of an environmental evaluation report. The report was to include projections of the environmental impact of the municipal plan along with strategies to mitigate any adverse results. HB 219 was similar to many other bills submitted this session which incorporated environmental studies as part of a long-term planning process.

The League issued an Action Alert on March 17 directed to the members of the House Environmental Regulation Committee, urging then to give the climate change bills a hearing. The Alert generated 866 responses, but did not result in a hearing for the six bills cited.

The 14 climate change bills submitted this session were the most in the past 10 years. We were particularly encouraged by passage of **HB 3143**, which offered revisions to the **Property Redevelopment and Tax Abatement Act** to extend Chapter 312 of the Tax Code to 2029. This bill affected both air quality and climate change. Opponents to renewable energy tried to amend this Act by making property receiving a tax exemption, <u>ineligible</u> for that benefit if a "solar energy device" or "wind power energy device" were installed or constructed on that property. The Texas Public Policy Foundation supported that amendment in an effort to reduce the impact of renewable energy in Texas, but the amendment failed.

Although Texas, nationally, is a major natural gas and oil producer, it is also the largest producer of wind power in the country. Wind in Texas generates 22,700 MW of power which is 15.7% of the electricity produced in the state. Wind power production is a major industry statewide, accounting for 24,000 jobs.

B. Land Use

1974, 2018 (See also LWVUS position "Resource Management" in Impact On Issues)

The League of Women Voters of Texas supports a comprehensive state land use policy to provide for the orderly development of the state, including:

- Land being used according to its carrying capacity based on a thorough inventory of our land and natural resources.
- Growth and development of an area being compatible with the degree of availability of essential natural resources in that area.
- Protection of the traditional rights of ownership of property, but in conflicts between private interest and public welfare, precedence should be given to the public interest.
- Preservation of agricultural lands and desirable open space with preferential tax treatment for each.
- Preferential tax treatment for maintenance of the desirable existing buildings and infrastructure.
- A coordinated system of land use management in Texas including the establishment of a state land use management agency.
- Identification and protection of areas of particular significance (historical, archaeological, aesthetic, recreational) and rare or fragile ecosystems.
- Planning being carried out at the local level should be the main thrust of land use.
- Equitable enforcement of land use regulations and a method for appeal and arbitration when conflicting needs exist.

Explanation: Land Use

After 2 years of study, League members in 1974 asserted that public interests should take precedence over private rights when there are conflicts over traditional rights of property ownership. Support for preferential tax treatment to preserve agricultural lands and open space and maintain the built environment allows consideration of many innovative tax reform ideas, though care must be taken to examine this aspect of the Land Use position in conjunction with other positions, especially Financing State Government and LWVUS' Urban Policy. While the League's desire for a state land use management agency has not been realized, changes in agencies such as the General Land Office have accomplished some of our goals.

In 2018, delegates to LWVTX Convention voted to review the Land Use position as it relates to eminent domain, especially regarding private property law and the need to consider environmental impacts. A review committee was appointed. They produced an *Eminent Domain Issue Paper 2018* and recommended that no change was needed to the Land Use position. The current language accommodates support for protection of landowner interests, support for protection of environmentally sensitive lands, and support for a requisite public interest when considering legislation concerning eminent domain.

History: Land Use

1975-84. Land use advocacy has often focused on coastal issues. From the late 1970s to early 1980s, League members played key roles in the development of a Texas coastal zone management plan, but the governor did not approve the plan. The League supports the national celebration of Coast Week each year.

The League worked for the establishment of the Big Thicket National Preserve in 1973-74. We have continued to support legislation that would add areas of unique biological diversity and/or essential components of ecologically viable systems to the preserve. The League also played a key role in the 1984 designation of 34,000 acres of east Texas national forest land for wilderness purposes, and we annually cosponsor a Wilderness Pow Wow and support beach cleanup programs.

1990-91. In 1990 the League supported the successful reauthorization of a strong federal Coastal Zone Management Act and was represented on a Coastal Management Committee formed to aid the General Land Office in the development of a comprehensive long-term plan for state-owned coastal public lands in Texas. In 1991 the League opposed proposed state legislation that would have facilitated the development of fragile and disaster-prone areas on the Texas coast.

1995. Takings and other regulatory measures. Within the broad priority issue of environmental protection, land use restrictions vs. private property rights were a major focus of League advocacy during the legislative session. The League joined other groups in mounting opposition to the Private Real Property Rights Preservation Act, known as the "takings bill." Unfortunately, antiregulatory sentiment carried the day, and the bill was signed into law.

Key provisions of the new Private Real Property Rights Preservation Act include:

- A broadened definition of taking of private property by government entities to include actions that reduce market value by 25% or more.
- A requirement that governmental entities prepare "takings impact assessments" to determine proposed actions would constitute takings.
- A requirement that health and safety actions meet a stringent three-part test to qualify for exemption from its provisions unless specifically exempted in the law (about 20 categories of government actions are exempted).

On the *plus* side was the death of several bills opposed by the League that would have required cost-benefit analyses of major environmental rules by state agencies.

Coastal management. The 74th legislature passed and the governor signed a revamped state coastal management plan. The League supported the revised plan and proposed rules drafted by the General Land Office.

The Railroad Commission submitted numerous amendments to the proposed rules to the Coastal Coordination Council. At a hearing on August 30, the LWVTX expressed opposition to these amendments, noting their conflict with the Federal Coastal Zone Management Plan and the likelihood that adoption of the amended rules would result in rejection of Texas' coastal management plan by the federal government and loss of state authority to regulate the coastal area. The League also urged rejection of the objectionable amendments because they do not reflect important land policy goals, including preservation of the physical, chemical, and biological integrity of the ecosystem, with maximum protection of public health and the environment. (See LWVUS position on Environmental Protection and Pollution Control.)

1999. A number of land use issues were debated during the 76th Session, and two bills affecting county land use powers were passed and signed into law. Because of substandard development and growth concerns the first bill gives counties a little more power to regulate growth by requiring developers to file plats when they subdivide land into parcels of ten acres or less. It allows counties to set standards for roads and drainage. Adoption of this bill reverses a 1995 appellate court decision, the Elgin Bank Case, that required platting only if roads or parks were being dedicated to the county for maintenance. In order for subdivisions to be approved where the source of water is groundwater, this bill requires that a statement, certified by a registered engineer and approved by Texas Natural Resource Conservation Commission, must be attached stating that adequate ground water is available to the subdivision. This requirement applies to municipal authorities and counties.

The LWVTX continues to support a comprehensive state land use policy to provide for the orderly development of the state. Growth and development of an area should be compatible with the availability of essential natural resource in that area and should avoid the depletion of ground water.

The League actively opposed a bill that would have prohibited wetlands mitigation negotiations on proposed airport sites. The bill, which was counter to the wishes of a majority of Houstonians, and would have threatened the Katy Prairie Westside airport tract, a waterfowl wintering area, did not pass the Senate.

Unfortunately another bill supported by the League that proposed an interim study of farmland preservation was never reported out of committee. Agricultural land is threatened in Texas, the most rapidly urbanizing state in the country.

2003. Most of the bills introduced in the 78th Session followed by the League, dealt with county authority to regulate development. (This was also true of border issues.) Issues addressed in bills that did not pass included elections to require a subdivision to use a central water or waste water system and standards for (a) minimum amounts of open space or limits on the amount of impervious surfaces, (b) rights of way, (c) drainage, (d) utility connections, and (d) the location, use, and occupancy of housing. A bill prohibiting the operation of a motor vehicle in or on the beds or banks of Texas rivers passed and was signed into law. This issue was examined during the 2002 interim and drew interest statewide from people on both sides of the issue.

2007. HB 12 (Hildebran) passed and became law. It appropriates \$170 million more dollars to the Texas Parks and Wildlife Department, and also transfers 18 historical sites to the Texas Historical Commission.

HB 3447 (Rose) failed to pass. This bill would regulate land development in a county wholly or partly located in a priority groundwater management area designated by the Texas Commission on Environmental Quality that contains a territory from seven or more counties.

2011. Activity was concentrated primarily in making eminent domain procedures and property owners associations fairer to property owners. In both instances, these powers are widely perceived to have been abused in the past. In the case of eminent domain, the process and method of calculating reimbursement were spelled out in more detail, and the definition of who can wield eminent domain authority was tightened. Governor Perry deemed this topic an emergency at the beginning of the 2011 session, so passage was streamlined and nearly guaranteed. Natural gas pipelines, however, were specifically omitted from this legislation.

Property owners associations, particularly in unincorporated areas, wield great power, but regulations governing the operations of the associations have been ill defined. In the most egregious example of an over-reaching property owners association, a home was foreclosed for relatively small arrears in property owners' association dues. New regulations are intended to result in better notification procedures and more open decision making.

Note: Convention 2012 adopted a concurrence entitled "Homeowners Association Reform". This position includes protection against unreasonable foreclosure on homesteads, and priority of payments so that assessment payments apply first to delinquent dues, and then to non-assessment items such as interest and penalties.

2017. Legislation supported by the LWVTX but did not pass.

- Protecting water quality in the Hill Country. Using water and land use positions, the LWVTX made a major advocacy effort to end the permitting of direct discharge of wastewater over the Edwards Aquifer contributing zone, which covers most of the Hill Country region. An action paper was written, "Protect Water Quality in Edwards Aquifer," and testimony was given at hearings in the House and Senate. Despite significant support from other organizations and affected landowners arguing for land application of wastewater rather than discharge into streams, the proposed legislation died. Work will continue, perhaps during the interim, to stop contamination of surface and groundwater over the Edwards Aquifer contributing zone.
- Protecting parks and open space. An Action Alert was issued to advocate for an increase in the proposed funding for the Texas Parks and Wildlife Department, from \$230 million to \$333.5 million. The funding is needed as population growth in the state has caused increased park use and greater need for maintenance and repairs. Legislation was also supported to mandate the dedication of the sporting goods sales tax to the Texas Parks and Wildlife Department, fixing a previous loophole. Sadly, both a budget increase and legislation for a permanent funding source failed.

Legislation successfully opposed.

- Preserving desirable open space. A bill failed that would have removed land used as an ecological laboratory to be appraised as open space land. The LWVTX registered in opposition to this bill because the LWVTX supports preservation of desirable open space with preferential tax treatment.
- Supporting adequate powers at the local level. The LWVTX opposed several bills introduced in the regular and special sessions to remove land use powers from local governments. Especially egregious bills introduced in the special session would have preempted cities' tree ordinances. The LWVTX testified against these bills and worked with an alliance of other groups to successfully keep the bills from getting out of committee. One bill affecting tree ordinances did pass during the special session and was signed by the governor. It requires cities to allow property owners to plant trees to offset mitigation fees for tree removal. This bill was ultimately acceptable to cities, tree advocates, and builders alike. It keeps intact cities' authority to regulate tree removal.

• Local control of land use. The LWVTX also opposed other bills affecting local control of land use. One bill would have required cities to enforce building codes according to date of purchase of property rather than date of permit application. Another bill would have accelerated cities' permitting process. The LWVTX registered in opposition because these kinds of decisions belong to local, not state, government.

Legislation unsuccessfully opposed.

SB 1172 (Perry): Will prohibit local governments from regulating seed, essentially stripping city and county
governments of their ability to protect their farmers and citizens from harmful agricultural practices. The
LWVTX position is that these kinds of decisions belong to local, not state, government.

Legislation watched. Eminent domain and annexation issues also took center stage. In the special session legislation passed requiring cities in large counties to receive voter approval before annexing new areas.

2019. There were four major issues relating to Land Use in the 86th Legislative Session.

Eminent Domain. Using the new LWVTX publication, *Eminent Domain Issue Paper 2018*, we registered and sent testimony in support of numerous bills which were introduced to give protections to property owners involved in eminent domain proceedings. Despite vigorous advocacy from many groups, in the end none of the bills were successful.

Flood Control Planning. An historic statewide planning and funding package for flood control was authorized by the Legislature and approved by voters through constitutional amendment in November 2019. LWVTX registered and sent testimony in support of bills that created the framework for this first state flood plan in Texas. A designated Flood Infrastructure Fund (FIF) will pay for planning and flood control projects. The flood control planning process will be similar to the current water planning process, with regional stakeholders, including the public, planning together. The Texas Water Development Board will administer the FIF by making loans to local governments. Projects eligible for FIF may include non-structural and nature-based solutions, like wetlands, as LWVTX and other groups advocated.

Funding For State Parks. Legislators agreed to a permanent dedicated funding source for state parks and historic areas, and voters agreed through passage of a constitutional amendment in November 2019. This amendment will close a loophole in previous legislation and will require that all proceeds from the state sales tax on sporting goods will go to Texas Parks and Wildlife Dept. and to the Texas Historical Commission. Population increases, aging and storm-damaged park facilities, and the need for new parks closer to urban areas all require a dedicated, predictable funding source for long-range planning. LWVTX enthusiastically registered in support of this legislation.

Regulatory Issues. LWVTX joined with other groups to stop a bill that threatened the contested case hearing process, which is often the last line of defense for citizens to stop the Texas Commission on Environmental Quality (TCEQ) from issuing a permit that could harm air or water quality. Thanks to member response to a LWVTX Action Alert, the bill died. Throughout the session, we watched other legislation regarding regulatory changes and supported protection of environmental regulations.

C. Water

1971, 1974, 1978, 2012 (See also LWVUS position "Water Resources" in Impact On Issues)

The League of Women Voters of Texas supports the proposition that water is a natural resource and should be managed for the benefit of the people and the protection of the environment. Further, water conservation should be mandatory, with adequate citizen education for effective water stewardship.

The League of Women Voters of Texas supports long-range state water planning that:

- Takes into consideration its social, economic, environmental, and land use implications.
- Provides for development of adequate water supplies by ecologically and financially sound means.
- Emphasizes conservation and reuse of water.
- Is based on increased research concerning wise and efficient use of the state's land and water resources.
- Affords protection for the land and for fragile ecosystems.
- Establishes water availability criteria before issuing any leases, permits and licenses for new industry, business, housing, and other developments.

The League of Women Voters of Texas supports measures for the protection, conservation, and development of the groundwater resources of the state as an integral part of the comprehensive state water plan, and groundwater management that would achieve the following objectives:

- Maintain groundwater quality by preventing harmful contamination of aquifers.
- Assure the long-term productivity of the state's groundwater resources and availability of groundwater supplies.
- Minimize adverse effects of groundwater withdrawals, including land subsidence and reduction of spring flows.

Water resources planning should also include the following:

- Detailed information concerning:
- Hydraulic characteristics and recharge of the state's aquifers.
- Quantities, locations, and trends of groundwater withdrawals.
- Measures that could conserve and extend existing supplies.
- Current and projected costs of ground water and alternative surface water supplies.
- Potential conjunctive use of ground water and surface water.
- Management options developed specifically for each area of the state where ground water is a significant resource and assurance that water transfers to urban areas do not endanger future rural economies.
- Methods to strengthen groundwater conservation districts so they can continue to regulate groundwater
 use.
- Full public consideration of groundwater management options including a strong state agency with enforcement powers to regulate all water transfers.
- Recommendations of measures to be taken by the state, by political subdivisions of the state, and by the private sector to assure wise management of the state's groundwater resources.
- Coordination of state plans for groundwater management with relevant policies and programs of the federal government and of other states.

Adequate funds should be appropriated for planning and for management of the state's groundwater resources.

Explanation: Water

In the 1950s and 1960s, the LWVUS positions were reached on water conservation and development and on abatement of water pollution. These positions, as well as national and state positions in other natural resource areas—especially land use—are relevant to action on Texas water issues. A study of state water planning was adopted by Convention 1970. Impetus for the study was the 1968 Texas Water Plan, and the 1969 election in which a \$3.5 billion bond program to begin implementation of the plan was narrowly defeated. The plan proposed importation of out-of- state water to West and South Texas via two large canal systems. The League consensus disagreed with that aspect of the plan, stating that (a) additional water supplies should be developed in an ecologically sound manner from within the state and (b) more efficient use should be made of existing water supplies. The League took another look at the Texas Water Plan in 1974, following publication of a Corps of Engineers analysis of a proposal for importation of water from the Mississippi River. This consensus reaffirmed our 1971 positions.

Convention 1977 deleted the position statement that additional water supplies should come from within the state. Delegates continued to oppose massive water transfer projects but felt that opposition should be based on other League positions. Convention 1977 also adopted a study of groundwater management and protection, and consensus was reached in November 1978.

The water position was updated in 2012 after the study of Water as a Commodity was completed. The changes specified that the LWVTX believes that water is a natural resource and should be managed for the benefit of the people and the protection of the environment. Further, water conservation should be mandatory, groundwater conservation districts should be strengthened so they can continue to regulate groundwater use, water transfers should be regulated by the state, and water transfers to urban areas should not endanger rural economies.

History: Water

1976-80. When Proposition 1 authorizing \$400 million in Texas Water Development bonds was placed on the ballot in November 1976, the League worked to defeat this proposition. League opposition was based on the absence of

financial safeguards guaranteeing timely repayment by beneficiaries of water development projects, absence of environmental protection provisions, and inadequate information as to what projects would be funded. The amendment was defeated. Proposition 2, authorizing \$100 million in water quality enhancement bonds, was supported by the League and approved by voters.

Over the next several years, testimony based on League water positions was presented on the state lignite mining program, state water quality management plans, hazardous waste disposal legislation, the High Plains Ogallala Aquifer Study, the federal Soil and Water Resources Conservation Act of 1977, and a proposed Environmental Protection Agency Groundwater Protection Strategy. The LWVTX Education Fund projects on water issues included: (a) co-sponsorship of a regional floodplain conference in 1975 and (b) Project Safewater in 1976, which explained through a slide program and information kit the implications of the federal Safe Drinking Water Act for Texas communities.

1981-84. In 1981 League action again focused on opposition to a proposed constitutional amendment. Proposition 4 would have dedicated half of the state excess revenues in each biennium to a new water fund. In addition to the concern that prompted our opposition to the 1976 amendment, the League opposed the constitutional dedication of state revenues, in accordance with our position on Financing State Government. The League also pointed out that the revision of the Texas Water Plan initiated in 1976 had not been completed. The amendment was defeated.

Shortly after the November 1981 election, the governor called for revision of the Texas Water Plan. The state League and local Leagues testified at forums on water planning issues in 1982 and at hearings on a draft revision of the plan in 1983. In September 1984 the Water Development Board adopted a revised plan, "Water for Texas: A Comprehensive Plan for the Future," which emphasized water conservation and reuse and recognized that importation of water was not feasible under present conditions. In 1981, the LWVTX Education Fund published *Fresh Water for Texas Bays and Estuaries*.

1985-88. The 1985 Legislative Session passed a major package of water legislation. Prior to and during the session, the League lobbied to strengthen provisions for water conservation and protection—especially for groundwater. The package consisted of water conservation programs, protection of freshwater inflows to estuaries, creation of groundwater conservation districts in critical areas, and expanded powers for groundwater districts. A bond issue authorized by voters in the November 1985 election funded these initiatives. The League also supported a related ballot issue that passed, authorizing state bonds for an Agricultural Water Conservation fund, if approved by a two-thirds vote of the legislature by 1989.

The League worked with the Water Development Board and the Water Commission for effective implementation of the new conservation requirements and groundwater district provisions. In the 1987 Legislative Session, some League-supported proposals (e.g., stronger septic tank regulation) passed, but all statewide groundwater bills failed.

In 1987-88 local Leagues and the state League participated in the League of Women Voters Education Fund "Community Drinking Water Survey," interviewing water officials on impacts of the 1986 Safe Drinking Water Act amendments. At Texas Water Commission hearings, the LWVTX testified for more stringent water quality standards and more effective controls of nonpoint source pollution.

1989-93. The League reviewed the 13 critical groundwater area reports published by the Texas Water Commission in 1989 and 1990, and urged the commission to address promptly the more serious problems described in the report. Also, in 1990 the state League and several local Leagues presented statements at the Texas Water Development Board public hearings on draft revisions of the state water plan. We commended the plan's emphasis on water conservation and subsequently worked successfully for legislation adopting water-conserving plumbing standards, as recommended in the plan.

In 1990 we attended numerous meetings of the legislature's interim committee on the Edwards Aquifer and testified in the 1991 Legislative Session on two bills proposing management of the aquifer, neither of which passed. A League

priority in the 1993 Legislative Session was the creation of a regional management entity for the Edwards Aquifer. The bill the League supported passed in the final days of the session.

In the fall of 1991, the LWVTX testified for a more effective Integrated Environmental Plan for the Mexico-U.S. Border Area and supported a constitutional amendment authorizing use of \$150 million of Water Development Fund bonds for water and wastewater services to *colonias*. The League was represented on the Texas Water Commission Clean Water Council, which submitted its report in November 1992, and on the Clean Texas 2000 Awards Committee, that recommended the April 1993 award winners.

1994-95. In 1994 the LWVTX Education Fund sponsored a workshop in New Braunfels highlighting local League work to protect water quality in south central Texas. Since early 1994, League members have been participating in regional advisory committees to the Trans-Texas Water Program, which is considering future water supply options to be recommended in the 1996 revision of the Texas Water Plan. The League is also represented on Watershed Texas, a statewide watershed management project of the Texas Natural Resource Conservation Commission Office of Water Resource Management.

In the 1995 legislative session, the League supported the bill that was passed to meet U.S. Justice Department requirements for the election of the Edwards Aquifer Authority Board. We opposed several bills that did *not* pass, including those lowering water quality standards and limiting pollution control authority of the Texas Natural Resource Conservation Commission.

1997. Major new water legislation, known as SB 1, was drafted by various groups during 1996 in response to a statewide drought and also to provide a broader state framework for dealing with Texas' current and future water needs. Early in the session representatives of several public interest and environmental groups, including the League, met to discuss the proposed legislation and to identify essential elements of a state water bill. A resulting policy statement was submitted to legislative staff and these elements were incorporated into the final bill. Key provisions include:

- Adoption of a new state water plan that will incorporate regional plans for drought planning and water conservation by September 1, 2001.
- Retention of the right of capture doctrine for state groundwater.
- Inter-basin transfers approved by the Texas Natural Resource Conservation Commission would become 'junior' water rights with little or no water to transfer out of the basin during a drought.
- Stream flow needs for streams and rivers and environmental flow for bays and estuaries will continue to compete with perceived water use needs of agricultural, municipal, and industrial needs.
- Formulation of a state water plan addressing different needs of managing water in various regions of the state.

The 1997 appropriations bill contains funding of \$36 million for the water legislation during the biennium. An Interim Committee on Water Resources and Development and Management will be created to study a broad range of water issues, including water marketing, and make recommendations to the next legislature. The League plans to monitor this committee during the biennium.

Another bill reinstates the funding mechanism for the state Clean Rivers Program, which would have expired in 1998. However, the population threshold for cities required to establish a water pollution abatement program was increased, weakening the program. Two constitutional amendments concerning water will be on the ballot in November 1997. One would create Water Development Fund II. The other would allow local governments to give tax breaks to businesses that install water-conserving equipment.

1999. The LWVTX worked on water quality and protection issues and on budget issues. The LWVTX had as a key priority the provision of money for water quality and quantity issues. The League successfully supported full funding for the ongoing regional water planning process set up by SB 1 in 1997.

The LWVTX joined environmental groups in asking the legislature to fund programs and employees in the storm water permitting process, a water quality program that emphasizes working to maintain the designated uses of specific rivers and streams, water quality improvement and water modeling, and revenue for the National Estuary implementation program for Corpus Christi and Galveston Bay areas. We met with mixed success, but have made an important stride forward in working on the legislative budget and appropriation processes.

The two most important bills, both opposed by the LWVTX, concerned ground water protection and a wastewater discharge bill that restricted the opportunity for public participation. The groundwater bill, originating in the House, was directed at the regulation of the Edwards Aquifer and would have put a moratorium on the pending Edwards Aquifer (protection) Rules that the League supported. The bill would have established a committee to study the rules adopted by the Texas Natural Resource Conservation Commission that had not yet gone into effect. The League opposed the bill, believing that the rules offered increased protection to the contributing, as well as the recharge zone, and were already the result of a large amount of public participation. The bill did not pass; the rules went into effect June 1.

The second bill, which did pass and was signed into law, authorizes the Texas Natural Resource Conservation Commission to lift the cap on wastewater discharges eligible for a general permit. Previously the law had a discharge limit, which if exceeded resulted in having to go through a permit hearing process. These general permits restrict the opportunity for public participation by replacing the contested case hearing process with a notice and comment provision. The bill was strongly opposed by the LWVTX and environmental organizations. This bill serves as an example of legislation that deals with more than one issue, in this case public participation and water quality.

2001. The legislature continued its examination of Texas water policy and planning. SB 2 (Brown), signed by the governor, revised the state regional water-planning process, established the Texas Water Policy Council, provided direction on water management strategies, and set up a comprehensive study of water resource issues that will occur during the 2002 interim. The bill strengthened the ability of underground water districts to control the pumping of groundwater. The bill also established the water infrastructure fund to be funded through the Texas Water Development Board. The LWVTX did not support or oppose (during the session or the election) a proposed constitutional amendment to authorize an additional \$2 billion in general obligation bonds for water projects.

2003. For a session that was not supposed to deal with water there were a large number of significant bills introduced and passed. These include bills that:

- Deal with the Texas Water Development Board administration and funding, including the Water Infrastructure Fund, the Rural Community Water and Wastewater Loan Fund, and the Rural Water Assistance Fund.
- Consolidate various agricultural assistance funds.
- Create the Water Conservation Implementation Task Force.
- Require all water conservation plans and drought contingency plans submitted with a water rights permit or financial assistance application to include specific, quantifiable 5-year and 10-year targets for water savings.
- Establish the Study Commission on Water for Environmental Flows, prohibits the Texas Commission on Environmental Quality from issuing a new permit for in-stream flows dedicated to environmental needs or bay and estuary inflows and clarifies that groundwater conservation districts may adopt different well spacing or production limits for distinct aquifers or for different geographic areas within their boundaries.
- Require the Texas Water Development board to study, investigate, and survey the development of water supplies from seawater desalination.
- Relate to notice of groundwater contamination that may affect a public or private drinking water well.
- Relate to (a) prohibiting the creation or enforcement of certain restrictive covenants that undermine water conservation, (b) the authority of certain nonprofit water supply corporations to establish and enforce customer water conservation measures, and (c) the definition, use, regulation, and permitting of grey-water.
- Relate to requiring water rights applicants and holders, water utilities, and conservation and reclamation districts to adopt and implement certain water conservation measures.
- Relate to lawn irrigation and rainwater cutoffs, wastewater, the discharge of wastewater into waters of the state, storm water, land application of sludge, and water supplies.

Bills that would affect low-flow toilets and washing machines conservation standards did not pass. Two other water bills that did not pass addressed issues relative to small community water systems that face exceptional physical or financial circumstances in attempting to comply with federal Safe Drinking Water Act requirements relating to naturally occurring material. This legislation could have led to the loss of federal funds.

2005. The latest super water bill, SB 3 (Armbrister) (in line with SB 1 and SB 2), died in the House,a victim of late filing and bad timing. The bill would have covered conservation, groundwater, in stream flows, protection of the bays and estuaries, and other topics. At the last moment representatives were looking for bills to attach environmental flows and the protection of the bays and estuaries amendments. However, no significant water legislation passed. Senator Armbrister filed a bill in the special session dealing with Article I of SB 3, environmental flows and bay and estuary protection, but the bill was not added to the governor's list for the special session. The governor had said that school finance took priority before anything else would be considered.

2006. SB 1, the 2nd 5-Year State Water Plan was adopted in the fall following statewide hearings.

2007. HB 3 (Puente), supported by the LWVTX, creates a basin-by-basin process for developing recommendations to meet in-stream needs, requires the Texas Commission on Environmental Quality to adopt recommendations in the form of environmental flow standards, and creates the Environmental Flow Advisory Group to oversee the process.

HB 4 (Puente), supported by the LWVTX, is a water conservation bill that represents the consensus recommendations of the state Water Conservation Implementation Taskforce established by the legislature in 2003. The bill establishes a statewide water conservation public awareness program to educate Texas residents about water conservation.

SB 3 (Averitt), opposed by the LWVTX, passed. This bill became a reservoir designation bill. The passage of SB 3 does not mean that reservoirs will automatically be built, but may set up conflicts that will take years to resolve.

2011. SB 332 (Fraser) originally attempted to reaffirm groundwater as a property right (rule of capture) by describing it as a vested property right. The result would have been to threaten the balance between landowners and the 97 local groundwater conservation districts that are the only community regulators of groundwater reservoirs. These reservoirs supply more than 60% of the state's water needs. In a compromise, the bill eventually just restated groundwater ownership as a landowner's property right. Had "vested" remained in the bill, it would have been a constitutionally protected property right, becoming a statute of common law.

The Texas State Supreme Court in the Edwards Aquifer Authority v. Day case answered the vested question in early 2012 when they ruled that water was indeed owned by the landowner. The full implication of this decision is to classify any restriction in the use or sale of a landowners' water as a legal taking that must then be remunerated. The problem now returns to the legislature and the courts to decide how to guarantee the best use of water for the people. In commenting on this Texas Court decision, the *New York Times* noted that Texas is the only state that "functions by the rule of capture, which allows landowners to pump essentially unlimited amounts of water. Elsewhere in the U.S. groundwater is a public resource" (March 18, 2012).

There were two proposed constitutional amendments relating to water passed by the legislature for the November 2011 ballot:

• SJR 4 (Hinojosa): This proposition is a product of the Sunset Advisory Commission recommendations on the ability of the Texas Water Development Board to issue debt. It authorizes the Texas Water Development Board to issue self-supporting general obligation fund bonds at its discretion and on a continuing basis (essentially a revolving fund). The Texas Water Development Board would thus have greater flexibility in targeting needs across a longer time horizon and increase their ability to meet needs of local governments that must upgrade infrastructure to meet growing populations. This amendment passed.

• SJR16 (Estes): This is the Water Stewardship Amendment that would add water stewardship purposes to the agricultural exemption option (open-space valuation option) for property tax valuations. According to the bill analysis, adding water stewardship purposes to the land management practices would give landowners "a tool to better manage their property and incentivize land owners to invest in projects that improve water quality and quantity for the state." This amendment failed.

Otherwise, this session was a disappointment for all hoping that the issues of water demands and shortages would be faced once and for all. The new, increasing challenges involving groundwater depletion, pollution and toxic spillage resulting from natural gas drilling and hydraulic fracturing will be in the forefront of water planning and permitting for some time to come.

2013. The LWVTX followed 23 bills during the session, of which seven passed. The most important water bill signed by the governor was HB 4, which sets up the Texas Water Development Board funding for implementation of the so-called SWIFT loan fund (State Water Implementation Fund of Texas) and bond sales to support the State Water Implementation Fund of Texas.

Also, this bill reorganized the Texas Water Development Board from being run by an administrative voluntary board of six appointed by the governor to a paid professional board of three, one each appointed by the governor, lieutenant governor, and speaker of the house, respectively. The reorganization of the Texas Water Development Board was effective September 1, 2013. However, the State Water Implementation Fund of Texas funds would not be established until the constitutional amendment proposal (SJR 1) passed by the voters in the statewide election November 2013. This vote would authorize the state to move \$2 billion from the Rainy Day Fund to set up the funds. There were lots of pros and cons on this proposal, and the LWVTX undertook a campaign to pass the amendment, including a press conference, working with other groups, and working with local Leagues, sending them blue wristbands to show their support. The amendment passed by a wide margin.

2017. This session was not focused on water issues. And several good bills that passed in one house failed to be considered in the other due to tensions between the two houses over unrelated, tendentious issues, such as transgender person's use of public restrooms. So progress overall was limited.

The LWVTX supported bills to protect groundwater (see Land Use paper), surface water, encourage conservation, encourage rainwater harvesting, wastewater reuse, storm water control, desalination, and aquifer storage and recovery. Of these, HB 1648 was signed by the governor providing that any private water utility with over 3,300 connections to specify a conservation officer to be responsible for the utility's conservation plan. SB 59 was also signed into law providing more specific support from the Texas Commission on Environmental Quality for water and energy conservation planning by all state entities.

The League also supported many measures that would strengthen the Water Code and the administration of regulations by the Texas Commission on Environmental Quality, the Texas Water Development Board, and the Railroad Commission, which has a great deal of enforcement authority for the drilling industries to prevent contamination of groundwater. The League supported many of the recommendations of the Sunset Commission in its review of the Railroad Commission. Of these, only a few were signed by the governor.

- SB 864 requires that groundwater conservation districts be notified if the Texas Commission on Environmental Quality receives an application for the use of surface water that identifies groundwater as a backup source.
- HB 2215 adjusted the due dates for groundwater conservation districts to adopt desired future conditions (31 Tex. Admin. Code, Pt. 10, §356.10[6]) of aquifers in order to harmonize with the dates for new iterations of the state water plan.
- HB 1818 (a) requires the Railroad Commission to develop an Alternative Dispute Resolution Policy (an annual plan for strategic use of its resources for monitoring and enforcing oil and gas violations) and publish a report of all violations and enforcement measures annually, and (b) provides fees on pipeline applications sufficient to cover administrative and safety enforcement activities.
- HB 1573 requires training standards for certified water loss auditors.

SB 347 specified that regional planning group meetings be subject to all open meeting provisions.

A very interesting bill that passed confirmed the legality of the contract that Midland had negotiated with an oil exploration company to exchange upgrades to its wastewater treatment plant for a guaranteed amount of treated wastewater to use in hydraulic fracturing. This seems like a win-win project that may be replicable in other places. Reducing the use of fresh water for hydraulic fracturing is an excellent conservation measure.

Several bills the League opposed also failed. Most would have rewritten state definitions and regulations in favor of regulating water as a commodity and reducing the time needed to approve a surface water permit, which would shift the balance in favor of developers by reducing protections for the public interest to be considered thoroughly.

The League also watched many bills that would have amended the process of developing the State Water Plan. SB 1511, the only one that passed, provides more hearings by the regional planning groups, the assessment of any strategies that were implemented and identification of impediments to the implementation of those that were not, and allows simplified planning, which means that if nothing has changed, every other 5-year update can be less comprehensive.

Pertinent bills that passed and were signed by the governor.

- SB 625 establishes a database of all special purpose districts with many specific data points required.
- SB 1009 limits information requirements.
- SB 1430 prioritizes handling of permits for desalination projects and limits time for appeals.
- SB 1446 loosens some of the notification requirements in contested case hearing on surface water permits.
- SB 1538 allows the use of the Floodplain Management Fund to collect information about planning, protection, mitigation, etc., and provide it to the public. Signed by the governor.
- HB 544 allows the Water Development Board to fund planning for water projects as well as implementation.
- HB 294 allows the Public Utility Commission to take over investor owned water utilities that do not comply with state rules in counties with over 2.7 million population.

Related measures passed and signed by the governor, of interest as governmental oddities.

- HCR 31 urges Congress to encourage the U.S. Department of Agriculture to change a regulation that
 requires a farmer to continue watering a crop that has already failed in order to collect on its crop insurance
 policy.
- HB 965 requires state correctional facilities to comply with local water restrictions in times of drought.
- HB 641 continues the Red River Boundary Commission that negotiates with Oklahoma over shifts in the riverbed.

2019. The 2019 Session offered a view into changing water perspectives in Texas. Clearly water, or a lack thereof, is becoming a concern for our lawmakers. Filed were numerous bills pertaining to groundwater and aquifer injection; that is the storage of water we have now, for use later. Creating laws around how water is measured and retrieved will likely continue as a focus while we become more sophisticated in our groundwater management approach.

The League supported numerous bills giving authority for these injection wells, in addition to the formation of an interregional planning council for state water planning and a bill directing the Water Board to conduct a study on aquifer storage and use across the state. A partner bill authorizing the Water Board to fund interregional projects was also filed and passed. We believe long term water goals for Texas are more easily met by increased partnerships across water sheds. After all, water knows no county lines, and infrastructure needs can be spread across the state for cost savings and innovation.

Aguifer storage bills that passed and were signed into law:

- SB 520 (HB 481) allowed the City of New Braunfels storage and recovery of water in a portion of the Edwards Aguifer.
- HB 712 authorized the Texas Water Development Board to conduct studies of and prepare and submit reports on aquifer storage and recovery and aquifer recharge projects.
- HB 720 clarified retrieval rights from aquifer storage wells.

We also supported HB 1044 which sought to expand definitions of the Edwards Aquifer to include the Upper Glen Rose. Sadly, this bill did not make it out of committee.

Planning as a focus (signed into law):

- HB 807 Requires the Texas Water Development Board (TWDB) to appoint an interregional planning council
 during each five-year state water plan adoption cycle. The council would include one member of each regional
 water planning group, to serve until a new state water plan is adopted.
- HB 1052 Board funding established in partnership with HB 807.

One planning bill LWVTX supported, HB 1059, related to the creation of a 10-member group each fiscal biennium to prepare a report on the use of green stormwater infrastructure and low impact development in the state. *Governor Abbott vetoed the bill stating there were already provisions in place for stormwater study*. The emphasis on green stormwater infrastructure was a key component of this bill. We hope to see something similar in the future and will offer increased support.

While Proposition 8, "creating a flood infrastructure fund that the Texas Water Development Board could use to finance drainage, flood mitigation and flood control projects after a disaster" was approved by voters, green planning remains an over-looked need for our state.

The League also supported HB 817 which would prevent dumping of toxins into the Edwards Aquifer. Sadly, this bill was left pending in committee. Fortunately, one bill with some teeth, SB 530, increased fines for polluting drinking water, public water supplies, and bodies of water from a penalty from \$50 to \$1,000 for each violation to \$1,000 to \$5,000. We hope this decreases the likelihood of intentional pollution in our waterways.

A big win for Texans, Proposition 2, calls for investment in economically distressed areas of the state through loans from the Texas Water Board. The proposition passed with a wide margin of support "allowing the Texas Water Development Board to issue bonds to fund water and wastewater infrastructure projects in areas where median household income is at or below 75% of the statewide median income level." This should offer relief to thousands of Texans, largely located near the border, who currently have little to no water infrastructure.

LWVUS Program Positions

This is a summary of LWVTX advocacy at the state level based on certain national League positions, and for which we have no corresponding state position. A complete record and explanation of all current LWVUS positions can be found in *Impact on Issues* (revised after each LWVUS Convention).

I. Representative Government

Promote an open governmental system that is representative, accountable, and responsive.

A. Citizen's Right to Know/Citizen Participation (Open Government)

1984

The League believes democratic government depends upon informed and active participation at all levels of government. The League believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings, and making public records accessible.

LWVTX Action: Open Meetings/Open Records

1987-89. The League supported a successful effort on the part of a coalition of several groups (Common Cause, news media) during the 1987 Legislature to amend the Texas Open Meetings Act to strengthen the provisions on executive sessions of public bodies, requiring them to tape record such sessions or file certified agendas. In the 1989

session the League supported successful legislation that strengthened the Texas Open Records Act by requiring agencies to make records available within 10 days after they are requested and establishing reasonable fees for copying records.

1997. The League supported a bill that would have prohibited closed-door staff briefings of governing boards in cities, counties, school districts, etc., a common practice throughout the state. The bill passed the Senate easily, was voted out of the House committee, but was killed when it was pointed out that the practice is already illegal under current law. Another League supported bill that would have mandated that private contractors, offering services formerly provided by the state, operate under the Open Meetings Act, did not come out of committee.

1999. Two important bills dealing with open meetings and open records statutes were passed during the session. The first bill removed a loophole that allowed governmental bodies to meet in secret without notice when called a "staff briefing." The second bill combined multiple changes in the open records act, preventing delay tactics and restricting the withholding of information.

2001. Although the League followed several bills, none will significantly affect the public's right to know. At the end of the session the League worked with Common Cause and the Consumer's Union to defeat several otherwise dead bills that were attached as amendments to still-alive bills. Two of these amendments would have closed certain records to the public. The League's biggest concern, a proposed constitutional amendment making privacy an explicit constitutionally guaranteed right, did not pass.

2005. SB 286 (Wentworth) and HB 634 (Baxter), both supported by the LWVTX, added educational requirement to the existing Open Meetings Act and Public Information Act for elected and appointed officials in Texas. This training was one of the legislative priorities of Attorney General Abbott. The governor signed SB 286.

Explanation: Recorded Votes

Texas is the largest of the 10 states that does not require that votes be routinely recorded by legislators' names. About half of the votes taken are by voice vote: all those in favor say aye, opposed nay. Legislators must request a recorded vote by roll call in the Senate and by electronic means in the House. Records of votes are published in the *Texas Journal* and are difficult to access by even competent computer users. The participation of citizens in the democratic process is hindered by the unavailability of voting records of their individual representatives.

LWVTX Action: Recorded Votes

2003. In April the *Dallas Morning News* began a media campaign to inform the public of when and how votes are recorded and not recorded. A Recorded Votes Committee was approved at the state level in August 2003. During the special session of the Legislature in the summer of 2003, Senator John Carona of Dallas introduced legislation to record nonceremonial votes. The efforts of the Recorded Votes Committee resulted in an action motion passed overwhelmingly at Convention 2004 in support of the constitutional amendment noted above. Throughout 2004-05 advocacy efforts were undertaken with written articles, educational forums, meetings with candidates for office, and lobbying of state representatives.

2005. League members can take pride in the progress that was made in the 2005 Legislative Session regarding the need to routinely record all substantive votes. In previous legislative sessions, bills for recorded votes were not even heard in committees. In 2005 both the House and the Senate changed their rules to make recorded votes easier and more frequent, and to have them posted on the Internet. Bills to require routinely recorded votes were heard in committees in both Houses, and the Senate passed a bill to record all substantive votes. The Senate vote was unanimous. Regrettably, the House leadership persisted in their opposition of the bill and did not allow a vote in the State Affairs Committee, although there were enough votes to pass it.

Efforts to make routinely recorded votes and public access to them a reality in Texas will continue in the interim and the 2007 Legislative Session. It is not unusual for a bill to take three sessions to pass. Our plans for future action include:

• Investigating the mechanics of recording votes in other states.

- Getting candidates and elected legislators on record regarding recorded votes during the 2006 primaries and general election.
- Continued education of our members and the public.
- Ongoing collaboration with newspapers and advocacy groups that support routinely recorded votes.

2006. History was made in the 80th Legislature when the House and Senate passed HJR 19 (Branch), a constitutional amendment to the Texas Constitution: "to require that a record vote be taken by a house of legislature on final passage of any bill, other than local bills, of a resolution proposing or ratifying a constitutional amendment, or of any other nonceremonial resolution, and to provide for public access on the internet to those record votes." The amendment was supported by the League and approved by Texas voters in the November 2007 election. This achievement is the culmination of work by a dedicated program chair and other League members who worked tirelessly since 1997 to advocate for recorded voted.

LWVTX Action: Open Government

2011. The governor signed HB 2973, known as the Citizen Participation Act or Anti-SLAPP legislation, which is an acronym for Strategic Lawsuits Against Public Participation. The new law places burdens on lawyers who want to file lawsuits on behalf of public figures or institutions in order to discourage people from investigating or complaining about the public figures.

Other bills supported by the League that became law include HB 336, requiring the posting on the Internet of political contributions and expenditures of public school board trustees in larger school districts. HB 2439 requires state agencies with more than 1,500 employees to allow employees to submit suggestions for cost efficiencies on their website. HB 2460 makes public retirement systems subject to the Texas Public Information Act. HB 2017 requires advisory committee meetings of the Texas Department of Motor Vehicles to be publicly accessible. SB 227 requires the Texas Medical Board to make public any remedial plans created to resolve complaints about physicians.

2019. Transparency and open government, among the pillars which assure that democracy works, were hot topics this session. Advocates in all sectors are unabashedly complaining that the once-robust Texas Public Information Act is hemorrhaging, and the League of Women Voters in Texas stands firmly with them.

This session the League of Women Voters of Texas is closely aligned with the **Freedom of Information Foundation of Texas** and the growing statewide **Sunshine Coalition**. The Foundation seeks to inform all about their rights and responsibilities as participants in our democracy, with the clear objective to protect and preserve the state's open meetings and open records laws. The Sunshine Coalition is working with state and local lawmakers, executives and other key policymakers to enact new provisions that strengthen Texas' Sunshine Laws, improve public oversight and rebuild trust in government operations and decisions. Both are nonprofit organizations.

Sen. Kirk Watson, D-Austin, and Rep. Giovanni Capriglione, R-Southlake, worked with the League of Women Voters through the Sunshine Coalition and Freedom of Information Foundation of Texas to pass SB 943, contracting transparency legislation that strengthens the Texas Public Information Act. In 2015, two Texas Supreme Court rulings had blocked public access to how taxpayer money is spent.

Watson and Capriglione also joined to pass SB 944, which allows better access to public records in a government official's private cell phone or email account. These records are already public by law, but SB 944 closes a "custodian loophole" and makes them easier to obtain.

This session's bi-partisan legislation will obligate governments to reveal the core elements of their contracts with private companies, including final dollar amount, key contract provisions, and line-item pricing. Information about public contracts with nonprofits that are performing government work, such as economic development agencies, will also be more readily available.

A bill we supported by Sen. Watson (SB 1318), which clarified when dates of birth should be made public, was left pending in committee. Businesses, journalists, and regular citizens use dates of birth for many purposes. Birthdates help to verify identity in the context of credit checks, providing loans, news reporting, etc.

Unfortunately, in dire contrast to what is discussed above, HB 2730 (Leach), passed and was signed by the governor despite opposition from groups such as the League and Sunshine Coalition. In most cases, the Anti-SLAPP law is a tool for regular Texans facing a David-and-Goliath court battle they cannot afford and do not deserve. HB 2730 will remove protections for people who get sued for defamation, for employers who try to protect their employees, for Texans who get sued by out-of-state corporations, and for consumers who write online reviews but have unknowingly signed non-disparagement agreements while clicking through the website. The law could actually prevent average citizens from getting a lawyer to defend them because of certain language.

B. Public Policy on Reproductive Rights

1983

The League of Women Voters of the United States believes that public policy in a pluralistic society must affirm the constitutional right of privacy of the individual to make reproductive choices.

LWVTX Action - Access for Safe, Legal Abortions

LWVTX immediately began using this position for action and actively works to support access to safe and legal abortion. During each legislative session, we track legislation that affects abortion access and register our position for or against pending legislation. We frequently prepare written or oral testimony to be provided to various legislative committees.

During every Texas legislative session, bills are introduced to restrict Texas women's access to meaningful reproductive choices. LWVTX works with other prochoice groups to defeat these measures with mixed success. Unfortunately, Texas now has some of the most restrictive abortion laws in the country. Anti-abortion advocates have been successful in imposing a 24-hour waiting period before an abortion can be performed and have severely limited the availability of abortions after 20 weeks of pregnancy. They have passed laws that require parental consent for a minor to obtain an abortion and require a vaginal ultrasound prior to an abortion.

1983-89. During each succeeding legislative session, bills attempting to place various restrictions on abortions have been introduced. The LWVTX has worked with other prochoice groups to defeat these measures, initially with great success. But laws enacted in recent sessions severely restrict Texas women's access to meaningful reproductive choices. Also in recent years, prochoice groups, including the LWVTX, have broadened their focus in this area to include advocacy for women's access to comprehensive reproductive health services and for medically accurate sexuality education. In supporting these initiatives, the LWVTX has relied on the LWVUS positions on Health Care and Meeting Basic Human Needs. The LWVTX position on Health Care for Those of Lesser Means also supports advocacy for access to comprehensive reproductive health services. Following the 1989 U.S. Supreme Court decision in Webster v. Reproductive Health Services that gave states increased power to regulate abortion and threatened to overturn Roe v. Wade, prochoice groups in Texas, including both state and local Leagues, began organizing concerted responses to the escalating calls for restrictive legislation.

1990's. In 1995, for the first time, two restrictive measures were voted out of Senate committees. One would have mandated parental or judicial involvement in a minor's decision to seek an abortion. The other would have classified abortion providers as ambulatory centers, thereby driving the cost of the procedure beyond the means of most women. At committee hearings, the LWVTX presented testimony in opposition to both bills. Fortunately, neither measure garnered the 21 votes necessary to be voted for consideration on the Senate floor. By 1999, after many failed attempts in previous sessions, antichoice proponents were able to enact a parental notification bill, vigorously opposed by the League. Under its provisions, a physician performing an abortion on a minor must provide 48-hour notice to a parent. A judicial by-pass was provided as the only alternative to parental notification.

2003. Several laws were enacted that further compromise a woman's right to choose:

- An omnibus law implements a 24-hour waiting period before a woman can obtain an abortion, requires physicians to provide women seeking abortions with informational materials including misinformation linking abortion to breast cancer, and requires abortions after 16 weeks be performed in ambulatory surgical centers, making their availability and cost prohibitive for most women.
- Another law allows criminal or civil charges to be brought against anyone who causes the death or injury of a
 fetus, and defines an individual as "an unborn child at every stage of gestation from fertilization until birth."
 By thus giving a fetus status as an individual, this law opens the door to future measures and lawsuits that
 would undermine women's reproductive choices. The law also has the potential to interfere with a doctor's
 care of a pregnant woman, as a doctor might not be willing to perform certain procedures (such as
 amniocentesis) for fear of being charged with a crime if the woman lost the fetus as a result.

2005. Enacted setbacks to choice were in the form of amendments attached to the measure reauthorizing the Texas Medical Board. These amendments mandate parental consent for a minor's abortion (cf. the notification requirement enacted in 1999), and further restrict the already extremely narrow circumstances under which a woman can obtain a legal abortion in the third trimester of pregnancy to cases where the fetus has a severe and irreversible brain impairment or the women risks death or severe and irreversible brain damage or paralysis.

Other setbacks for women's health included two riders attached to the state budget: One diverted \$5 million to crisis pregnancy centers whose chief mission is giving misinformation to pregnant women in order to discourage them from having abortions, rather than providing actual health care services. The other rider diverted \$20 million from existing providers (including Planned

Parenthood affiliates, medical schools, hospital districts, and health departments), displacing over 70,000 low-income women currently receiving family planning and other health care services from these entities.

On the good news front, the legislature passed the Medicaid Waiver bill, which instructs Texas Health and Human Services to apply for a federal waiver that will expand access to preventive health care and family planning services for low-income women, including screening for diabetes, cervical and breast cancer, hypertension and tuberculosis, as well as counseling and education on contraception. Unfortunately, a bad amendment attached to the waiver prohibits waiver funds from going to agencies that perform or promote abortions and limits coverage of information about and prescriptions for emergency contraception. Another victory was passage of a bill mandating hospitals to implement plans for adequate and comprehensive services to victims of sexual assault, though it regrettably does not mention emergency contraception.

2007. Although there were a couple of close calls, all of the bills filed during the 80th Legislative session that would have imposed additional burdens on Texans seeking abortions and/or abortions providers died. The state budget brought both good news and bad news for proponents of women's health and increased access to preventive and reproductive health care. New language was added to the rider passed by the 79th Legislature in 2005 that diverted \$20 million away from proven providers of preventive health care and resulted in 33,000 fewer women receiving family planning services. The new rider restricted the Texas Health and Human Services from implementing the rider if it would adversely affect the number of women who receive family planning services. However, the Alternatives to Abortion program rider enacted by the 79th Legislature remained intact. The provision allows for allocation of \$5 million to agencies that provide no medical services and do nothing to prevent unwanted pregnancies.

2009. For better *and* worse, status quo is an appropriate summation of the 81st Legislative Session in this program area. On the better side, no antichoice bills were passed, thanks in part to unrelated procedural maneuvers. Measures opposed by the LWVTX that came close to passage included those that would have (a) required an ultrasound prior to abortion, (b) authorized Choose Life license plates whose purchase would fund unregulated, unlicensed pregnancy centers, and (c) placed burdensome new reporting requirements on women seeking and physicians performing abortions, under the guise of protecting women from coerced abortions.

On the worse side, efforts to improve sex education in public schools and to expand low-income women's access to preventive family planning and other health care services were ultimately unsuccessful. Some of these efforts were encompassed in the Education Works bills and the

Prevention Works bills strongly supported by the LWVTX. Kudos to Representatives Castro, Villarreal, and Strama who tried but failed, during the frantic waning days of the session, to attach amendments to an education-related bill that would have required information taught in sex education courses to be medically accurate.

Also for the worse, provisions included in the state budget opposed by the LWVTX impede women's access to preventive health care:

- Rider 56 diverts \$20 million from expert family planning health care providers, such as Planned Parenthood, and gives it to Federally Qualified Health Centers that don't have the capacity to see large numbers of family planning patients. Since the rider was enacted in 2005, 70,700 fewer such patients have been served. A bright spot: New language was added requiring funds not spent by Federally Qualified Health Centers to go back to family planning providers who can use them.
- The Alternatives to Abortion program was also renewed, with increased funding that is directed to crisis pregnancy centers-organizations that provide no medical services and do nothing to help women prevent unintended pregnancies.

2011-2012. Despite vigorous advocacy by the LWVTX and other prochoice groups and individuals, women's health and reproductive choice were big losers in the 2011 Legislature and its aftermath.

Family planning funds and the Texas Women's Health Program. A budget cut of approximately \$62 million from the state family planning program will leave an estimated 200,000 women without access to basic health services. Adding insult to injury, the budget actually includes an increased amount for the Alternatives to Abortion program that encourages women in crisis pregnancies to carry to term, often with Medicaid support. The Alternatives to Abortion program, which has an \$8.3 million budget in the current biennium, provides no medical services, although it does make referrals to other government programs.

Although the Texas Women's Health Program was reauthorized, but the renewal application submitted to the federal government effectively excluded Planned Parenthood centers from providing Texas Women's Health Program services.

The federal government responded that excluding qualified providers is a violation of federal law and that funding for the Texas Women's Health Program would be withheld if Planned Parenthood were excluded. The state refused to back down. Planned Parenthood then filed a lawsuit against the state Health and Human Services Commission, alleging that it is unconstitutional to block Planned Parenthood from participating in the Medicaid Women's Health Program and depriving women of the right to choose their health care provider. The judge has issued a temporary injunction that allows renewal of the program and Planned Parenthood participation pending a full hearing and arguments from both sides.

Antichoice legislation/regulations.

Sonogram requirement. As passed and signed into law, Texas now has perhaps the most extreme pre-abortion sonogram requirement law in the country: it mandates that the woman receive a verbal description of the fetal image even if she opts out of viewing it. Further, although a woman may certify that she doesn't wish to view the fetal image, the law actually says that her consent to the medical procedure of an abortion is not informed if she doesn't view the image.

Choose Life license plates. This new law authorizes the issuance and purchase of Choose Life license plates. Proceeds from the purchases will go to eligible organizations that give assistance to pregnant women who are considering placing their children for adoption. But organizations that provide abortions or abortion-related services or make referrals to abortion providers are not eligible to receive these funds.

Funding restrictions. Another amendment to SB 7, the special session's omnibus health care bill, effectively bans hospital districts from using local tax revenue to fund abortions or risk losing state funding. The amendment allows exceptions if the woman's life is in danger or if the fetus has a severe fetal abnormality.

2013. As the regular session adjourned, the LWVTX and other advocates for reproductive choice and for comprehensive, affordable women's health care briefly rejoiced that none of the bills on these issues that the LWVTX opposed passed. In fact, none of them even received a vote from either chamber. Also preventive health care for women was a winner in the state budget that:

- Allocated \$71.3 million in state funding for the Texas Women's Health Program. Approximately 90% of this was to replace lost federal funding because of the Affiliate Ban Rule enacted in 2011. This funding maintains the Texas Women's Health Program but shifts the funding source from federal to state dollars.
- Expanded the state's Community Primary Care program by \$100 million to support women's preventive care, including contraceptive care for approximately 100,000 low-income women.
- Added \$32.1 million to the Texas Family Planning Program to replace federal Title X grant funds that were awarded to the Women's Health and Family Planning Association of Texas instead of to the state.

Unfortunately, along with the death of the antichoice bills opposed by the LWVTX during the regular session, all of the prochoice and pro-women's health measures supported by the LWVTX also died without receiving votes.

In the 1st special session that immediately followed the regular one, the governor added "legislation relating to abortion procedures, providers and facilities" to the agenda. A number of abortion bills were filed but the ones that moved were companions SB 5 (Hegar) and HB 60 (Laubenberg)-omnibus measures banning abortion after 20 weeks, requiring all procedures to be performed in a mini hospital forcing women to make four trips to a clinic for a drug-induced abortion, and requiring all abortion doctors to have admitting privileges at a nearby hospital. The committee substitute for SB 5 added an exception to the 20-week ban for situations involving a severe fetal abnormality.

The battleground then moved to the House where the State Affairs Committee scheduled HB 60 and HB 16 (Laubenberg), a stand- alone fetal pain measure banning virtually all abortions after 20 weeks, for hearing. Hundreds of women (estimates as high as 700) registered to be heard. After more than 10 hours of testimony, with hundreds (including the LWVTX) still waiting to be heard, the committee closed the hearing.

The State Affairs Committee reconvened the next day and quietly approved both HB 60 and its companion bill SB 5, as well as HB 16. However Texas women's impassioned and eloquent stand against these antichoice bills began to receive national attention. The marathon testimony in the State Affairs Committee was widely reported and dubbed "the people's filibuster." With the full House set to hear SB 5 and HB 60, hundreds of motivated and mobilized reproductive rights advocates headed for the Capitol, most wearing orange as urged by organizers and many wearing orange tee shirts saying "Stand with Texas Women." After hours of debate that went on into Monday morning, the House passed SB 5 on a vote of 95-34 with 20 members absent.

As the bill moved back to the Senate for its final approval on June 25, activists began arriving early in the Senate gallery. Senator Wendy Davis began to filibuster against SB 5 at approximately 11 a.m., needing to continue until midnight in order to kill the bill. Filibuster rules prohibit the speaker from eating, drinking, taking bathroom breaks or straying off the subject of the bill.

As afternoon turned into evening, several senators challenged Davis with specious points of order, alleging that it was out of order for Davis to accept a back brace from Senator Ellis as she stood on the floor and that twice, her remarks had strayed from the subject and were not germane. Unfortunately, the points of order were sustained and as senate rules provide, the filibuster ended on the third ruling, shortly after 10 p.m.

Other prochoice senators then stalled a vote on the bill with procedural questions until 11:45 p.m. As Senator Duncan, presiding in place of Lt. Governor Dewhurst, was about to start the roll call on a procedural vote before the final vote on the bill, Senator Van de Putte interrupted with a parliamentary inquiry, asking at what point must a female senator raise her voice to be heard by her male colleagues. At that point, the gallery filled with prochoice supporters erupted in cheers that were taken up and echoed by others standing outside the gallery and all around the Capitol building. Midnight came and went and the bill died amid the cheering and chaos.

Governor Perry wasted no time in calling a 2nd special session for July 1, with abortion front and center on the agenda. With unabated passion, approximately 5,000 prochoice supporters, including many LWVTX members, assembled on the Capitol steps on July 1 to bring their message to legislators. The Legislature focused on SB 1 (Hegar) and HB 2 (Laubenberg), companion omnibus measures that mandated (a) prohibition on abortion after 20 weeks, (b) requirements that facilities where abortions are performed meet the standards of ambulatory surgical centers and that doctors performing them have admitting privileges at a nearby hospital, and (c) a requirement that physicians administer in person the two medicines used for drug-induced abortions and see the patient again within 14 days.

In the House State Affairs Committee, 3543 persons had signed up to speak but only 100 were heard. Then the action shifted to the Senate Health and Human Services Committee for a hearing on SB 1. LWVTX presented testimony, among thousands who had registered to testify.

Unfortunately, HB 2 passed both House and Senate and was signed into law by Governor Perry on July 18. During floor debate in the Senate, prochoice senators offered 20 amendments, ranging from proposals to add exceptions to the 20-week abortion ban for victims of rape and incest to requiring annual inspections of abortion facilities. All were rejected. *The Texas Tribune* reported the chants and cheers from the massive crowd of prochoice advocates gathered outside of the chamber but that the audience observing from the gallery remained mostly quiet and orderly throughout the proceedings, in contrast to the closing hours of the 1st special session.

2015. Those who oppose women's access to safe, legal abortions and to comprehensive, affordable and accessible reproductive health care were not content to rest on their laurels in 2015. Regretfully, these people worked to restrict access to safe, legal abortions even further, coming up with new, draconian proposals affecting women's health.

Access to safe, legal abortions.

The worst bill that passed. HB 3994 imposes significant and unreasonable restrictions on the judicial bypass option for young women seeking safe, legal abortions. The harmful provisions of the bill as passed include: (a) requirement that bypass petition be filed in the teen's home county (unless the county has a population under 10,000), (b) elimination of physical, sexual or emotional abuse as grounds for a bypass, (c) extension of the time (from 2 to 5 business days) in which judges must rule on bypass petitions, and (d) requirement that the minor's attorney and guardian ad litem be the same person. This omnibus judicial bypass measure will have an especially adverse impact on vulnerable minors who have been neglected, abused or abandoned.

Another bad bill that passed. HB 416 requires abortion facility personnel to take education and training on human trafficking. The measure as passed is thus a targeted regulation of abortion providers that should apply to all frontline medical personnel. Note that Planned Parenthood clinics in Texas have for many years been proactive in training staff to recognize and appropriately deal with trafficking victims.

Women's health care safety net.

Budget-the good news. The General Appropriations bill for 2016-2017 includes \$50 million in new funding for women's preventive health care, including contraception. The Texas Women's Healthcare Coalition has called for thoughtful implementation that will 'increase the number of women served and help provide access for the more than 1.3 million Texas women in need of contraception and other preventive services.

Budget-the bad news. Unfortunately, the budget effectively removes Planned Parenthood's participation in the Breast and Cervical Cancer Screening program by stipulating that providers of these screenings must be eligible for the Texas Women's Health Program. (Planned Parenthood was excluded from that Program in 2011.)

Good bills that passed. HB 786 requires public employers (e.g., state agencies, local governments, public schools) to provide accommodations for mothers who need to pump breast milk while at work. According to the Texas Breastfeeding Coalition, 40% of mothers who return to work choose not to breastfeed because they anticipate lack of accommodations at work.

Note. On July 1, 2016, the Texas Women's Health Program and the Expanded Primary Health Care for Women program were consolidated into the **Healthy Texas Women Program**. The program provides pregnancy testing and counseling, family planning, breast and cervical cancer screenings, immunizations, and screenings and treatment for diabetes, high blood pressure and high cholesterol to low-income women. It covers minors as young as age 15 years with parental consent, including access to free birth control.

2017. The 2017 Legislative Session was very challenging for reproductive choice proponents. In the end, only one of the many antiabortion measures filed in the session was enacted and became law. But, unfortunately, that one is particularly heinous. However several measures that strengthen the women's health care safety net passed into law. Legislative attempts to ensure comprehensive, medically accurate sexuality education go nowhere.

Access to safe, legal abortions.

Very bad news. SB 8 (Schwertner), opposed by the LWVTX, is now law. As passed by the Senate, SB 8 requires burial or cremation of fetal remains after an abortion and also bans the donation of aborted fetal tissue for medical research. It also bans partial birth abortions, which are already prohibited by federal law.

In the House, an amendment was added to SB 8 (and approved when sent back to the Senate) that prohibits abortion providers from performing dilation and extraction abortions. Called

"dismemberment abortions" by opponents of the procedure, it is the most commonly used and safest method of performing abortions during the 2nd trimester. The Texas branch of the American College of Obstetricians and Gynecologists stated that such a ban would create "a dangerous environment for patients that would prevent doctors from having every option available when providing a patient with the best possible care in any given situation." A trial judge has blocked implementation of this prohibition pending the outcome of the litigation.

Women's health care safety net. Several supported by the LWVTX are now law. These include measures that address the recent disturbing spike in maternal mortality and morbidity in Texas such as requiring insurance coverage for maternal medical depression screenings during a Medicaid or Children's Health Insurance Program visit up to 1 year after a child's birth.

2017 special session. While we rejoice that vouchers for private schools and the "bathroom bill" did not pass in the special session, abortion access took several big hits. On the other hand, the crisis in maternal deaths in Texas received long overdue attention that resulted in a comprehensive bill addressing the situation.

Insurance coverage.

HB 214 (Smithee) passed, which prohibits private insurance companies from providing coverage for elective abortions unless a woman purchases a supplemental policy. The LWVTX and other reproductive rights advocates fought hard against this cruel measure that makes abortion unaffordable for many women, especially women of color, rural residents, and immigrants.

Women's health care safety net-addressing the maternal mortality crisis.

Passage of SB17 with bipartisan support was a big win for women's health advocates, including the LWVTX. Highlights of SB 17 as passed include:

- Continuation of the Maternal Mortality and Morbidity Task Force until 2023, giving more time for the state to directly address the causes of pregnancy-related deaths in Texas and demonstrating the state's commitment to reducing the high rate of maternal mortality and morbidity.
- Expansion of the duties of the Maternal Mortality and Morbidity Task Force to include study and review of health conditions and factors that disproportionately affect the most at-risk populations and best practices and programs in other states that have reduced the incidence of pregnancy-related deaths and severe maternal morbidity.
- Requirement that the Maternal Mortality and Morbidity Task Force compare the rates of pregnancy-related deaths based on the mother's socioeconomic status and consult with the Perinatal Advisory Council when

- making recommendations to reduce the incidence of pregnancy-related deaths and severe maternal morbidity.
- Requirement that the Texas Department of State Health Services conduct a statistical analysis of the
 aggregate data for pregnancy-related deaths and sever maternal morbidity to identify trends, rates, and
 disparities; and empowering the Texas Department of State Health Services to convene a panel of experts to
 advise the department and the Maternal Mortality and Morbidity Task Force in developing
 recommendations for improving collection of accurate data.
- Requirement that the Texas Health and Human Services Commission evaluate options for treating
 postpartum depression in economically disadvantaged women, which could lead to improved access to
 mental and behavioral health screenings before and after childbirth.
- Requirement that the Mortality and Morbidity Task Force coordinate with the Texas Department of State
 Health Services to develop and make available to health care providers materials on substance use and best
 practices in substance abuse screening of pregnant women and a list of substance use treatment resources
 statewide.

2019. The most recent 2019 legislative session was again challenging for reproductive choice proponents. Emboldened by the current composition of the U.S. Supreme Court, abortion opponents proposed several extreme new laws. In the end, none of the extreme bills were enacted, but three bills affecting abortion were passed and signed into law.

H.B. 16, as amended by the Texas Senate, was signed into law. The so-called "Born Alive" legislation creates a doctor-patient relationship between a doctor and a child born during a failed abortion and imposes a minimum \$100,000 fine on the doctor and criminal liability if the doctor does not provide the required care. Under the bill, a child born must be immediately transferred to a hospital. LWV actively opposed this bill, and the companion bill S.B. 23, because the legislation was unnecessary and was aimed at shaming women. This bill is an effort to intimidate and deter doctors from performing late term abortions. Late term abortions are rare.

S.B. 22, prohibiting transactions between governmental entities and affiliates of an abortion provider, was signed by the Governor. This legislation prohibits all transactions between a governmental entity and an abortion provider or an affiliate of a provider, specifically Planned Parenthood. The law not only cuts off all future state funding for these health care providers, it extends the ban to local governments. LWV opposed this bill for several reasons. In our written testimony, we pointed out that this bill would reduce women's access to necessary medical services, including preventative care, contraceptives, cancer screenings, and STD screenings. This bill would be harmful to thousands of low-income women.

SB 24 regarding counseling was enacted. Under prior Texas law, women must receive counseling and certain information prior to receiving an abortion. The new law prohibits the information from being provided by audio or video recording, and requires the information to be provided at least 24 hours before the abortion, orally by telephone on a private call, or in person in a private and confidential setting.

However, several bills restricting abortion rights failed to move forward. A heartbeat bill to restrict the time for an abortion to the 6th week of pregnancy, and another bill to prohibit abortion based upon the woman's reason for an abortion, both failed. Proposed legislation that would have required a pregnant woman to receive counseling by a third party (possibly a crisis pregnancy center) prior to abortion did not advance out of committee. A bill to appoint an attorney for the fetus in cases where a minor sought a judicial bypass from the parental consent requirement also failed.

Unfortunately, some good bills intended to ameliorate previously enacted harmful laws met the same fate. These included: elimination of waiting period before abortion and removal of unproved information from so-called informed consent to abortion materials.

Women's Healthcare Safety Net

LWVTX is a coalition member of the Texas Women's Healthcare Coalition. We track laws that impact women's health and access to family planning. We strongly advocate for the availability of long acting reversible contraceptives

(LARCS) which enable women to have more control over when and whether to have children. We also advocate for post- partum care and for increasing Medicaid eligibility for women to take care of themselves and children.

2019. Positive news on this front includes a budget of \$346,961,855 for the state's women's health programs including family planning programs – this is an increase of \$62.3 million from last biennium's allocated amounts. It is not as much as our coalition partner, Texas Women's Healthcare Coalition, had advocated as necessary to account for the increase in Texas population.

II. Natural Resources

Promote an environment beneficial to life through the protection and wise management of natural resources in the public interest.

Resource Management and Protection

Support resource conservation, stewardship, and long-range planning, with responsibility for managing natural resources shared by all levels of government. Preserve they physical, chemical, and biological integrity of the ecosystem with maximum protection of public health and the environment.

A. Energy

1975,1978

Support environmentally sound policies that reduce energy growth rates, emphasize energy conservation, and encourage the use of renewable resources. (For full position, see Impact on Issues, LWVUS).

LWVTX Action

1973-76. The LWVTX became active in the energy area in 1973 when it recommended to the LWVUS Council the adoption of energy as an emergency study item. The study item was not adopted then, but Council directed that a series of energy briefs be published to give members background material on this timely topic. The following year, again with strong LWVTX involvement, an Energy Task Force was established at Convention 1974 and our first position on energy—relating to conservation—was the outcome. Our national study on alternate sources of energy was also strongly supported by the LWVTX at the LWVUS Convention 1976.

1980s. During the existence of the Texas Energy and Natural Resources Advisory Council and its predecessor agencies, the League was represented on advisory committees in the areas of conservation, solar, and nuclear energy. We worked diligently, but in vain, during the 1983 Legislative Session to prevent the demise of the Texas Energy and Natural Resources Advisory Council and the Energy Development Fund. We also supported legislation dealing with conservation, solar energy, low-level nuclear waste management, and funding of the Energy Development Fund. In the effort to increase use of renewable energy, we supported legislation protecting consumers (installer licensing, device testing) protecting users' access to sun and wind, providing assistance in financing installations, and establishing an energy conservation code.

During the 1980s the League was represented at several utility-consumer interaction meetings, where we pressed the utilities to encourage conservation and use of renewable energy to delay the need for more generating plants. We argued this would conserve both natural resources and capital while providing increased employment in the labor-intensive, pollution-free solar energy and weatherization industries. In 1985 we cosponsored a second electric utilities dialogue.

2007. Committee Substitute HB 3693, supported by the LWVTX, passed into law. It requires electric utilities in Texas to achieve energy efficiency and conservation. This bill improves and expands existing energy efficiency measures, allows better management of customer demand, updates energy codes, and requires state agencies to utilize equipment and appliances that are more energy efficient.

2011. None of the legislation that we supported passed in this legislative session. However, some of the other bills that passed may have positive impacts, such as HB 51 (Lucio III) that establishes high-performance

sustainable-design standards for the construction of new state buildings and renovations for which the cost exceeds 50% of the value of the existing facility. These standards would apply to institutions of higher education, public education instructional facilities, and certain state agencies. HB 362 (Solomons) prevents property owners' associations from including or enforcing a provision in a real estate dedicatory instrument that would prohibit a homeowner from installing a solar energy device as defined by the Tax Code. The bill would void any existing deed restriction against solar energy devices.

B. Waste Management

1970

Promote policies that reduce the generation and promote the reuse and recycling of solid and hazardous wastes. (For full position, see Impact on Issues (LWVUS).

LWVTX Action

Under this national position, the LWVTX has taken action on both municipal solid waste and hazardous waste issues.

1980s. Since the adoption of the position in 1973, the state League has worked for passage of container deposit legislation, actively participating in the Association for Beverage Container Deposits, publishing an advocacy paper in 1987, and submitting legislative testimony in 1989, to no avail. In 1983 the League helped draft the Comprehensive Municipal Solid Waste Management, Resource Recovery, and Conservation Act and served on a related Texas Department of Health advisory committee.

The LWVTX advocacy for proper hazardous waste management began in the 1970s and intensified in 1980 when Texas first sought Environmental Protection Agency authorization to implement the federal Resource Conservation and Recovery Act. In 1981 the League obtained a grant from the LWVUS and sponsored an educational workshop and tour of hazardous waste management facilities in the Houston area. League legislative and administrative action in 1981-83 focused on the need for more stringent criteria for siting new facilities.

In the interim before the 1985 Legislative Session, the League testified on hazardous materials administratively. In 1986 the League intervened on behalf of the Texas Water Commission and the Texas Air Control Board in a lawsuit filed by the Texas Association of Business contesting the constitutionality of administrative penalty powers. During the sunset review process additional public participation opportunities and enforcement powers for the agencies that regulate hazardous waste were requested. During this interim a state League director served on the Governor's Hazardous Waste Task Force, which drafted consensus recommendations that led to passage of comprehensive hazardous waste legislation addressing most of the issues of concern to the League. Sunset reauthorization of the Texas Water Commission gave the agency the power to assess penalties in a case that was decided in 1989 in favor of the state agencies, a victory for the League. The Texas Supreme Court affirmed this decision.

During the mid-1980s, the League played an educational role on the controversial issue of hazardous waste incinerator ships. The LWVTX send an observer aboard an incinerator ship in the North Sea. It participated in Environmental Protection Agency briefings and a Keystone Center national policy dialogue on the role of the oceans in hazardous waste management.

1985. The League completed the major part of the Keystone Education Project, a 2-year League effort to educate communities about hazardous waste management and the Keystone site selection process for community involvement in the site selection of new hazardous waste facilities. The project included sponsorship of workshops in six industrial areas of the state and publication of informational materials as well as a training manual for those who serve on Keystone local review committees.

The League commented on rules implementing the comprehensive hazardous waste legislation and fee system and lobbied for waste reduction. Legislative activity focused successfully on preservation of the joint and several liability clauses of hazardous waste laws during the legislative efforts to reform the tort law system.

1989. Since 1989 the League has been represented on the Waste Reduction Advisory Committee, a policy advisory committee to the Texas Water Commission and its successor agency, the Texas Natural Resource Conservation Commission. The League supported a policy that would require industry to reduce waste at the source. In October 1990 the Texas Water Commission adopted the Waste Reduction Advisory Committee policy on waste reduction, which required industry to move toward source reduction, to work toward recycling and neutralization of toxins, and to move away from injection wells, incineration, and land-fills.

1991. In the 72nd Legislature the League supported bills calling for waste reduction and pollution prevention. These included a comprehensive hazardous waste reduction and pollution prevention bill that passed, making significant changes in regulatory programs in Texas. This legislation called for a temporary moratorium on new permits for commercial hazardous waste facilities, a greater role in the site selection process for citizens' groups, needs assessments, and requirements for source reduction.

The League has also been represented on Task Force 21: Waste Management Policy for the Future, a Texas Natural Resource Conservation Commission (formerly the Texas Water Commission) advisory council made up of representatives of industry and environmental groups. The task force has worked on development of regulations to bring state agencies into compliance with existing law. See next section, Public Participation, for more on Task Force 21.

The League supported an omnibus recycling bill, addressing many League concerns, which passed. The law charged the General Land Office with coordinating a recycling market development study, implementing a strategy for expanding markets, and developing and implementing a recycling awareness campaign.

1993-95. Unfortunately, the sessions did not continue the progress made in 1991 toward pollution prevention, waste reduction, and recycling goals. Despite League opposition, bills were enacted in that limit the power of local governments to regulate what goes into their local solid waste streams and that encourage the environmentally unsound process of mixed municipal solid waste composting. The League has continued to monitor development of regulations to implement the comprehensive waste minimization and recycling legislation enacted in 1991. We have submitted comments on proposed composting regulations and the adoption process.

1999. Following denial by the Texas Natural Resource Conservation Commission of a permit for low-level radioactive waste disposal at the state site near Sierra Blanca in West Texas, the legislature worked on and debated a bill that would have allowed private facilities to receive low level waste. The issues of disposal are complex and involve an interstate compact Texas has with Maine and Vermont, the licensing of private entities, site selection issues, groundwater protection, full public disclosure and participation, as well as the kind and volume of waste. Following a public forum held by the LWV of Midland and discussions with LWVUS, the LWVTX decided to oppose the legislation that failed to pass the legislature.

The bill would have mandated the use of assured isolation (above ground) storage, an alternative to burial. Following the failure of the bill, the governor used the pocket veto to remove the second- year budget for the Low-Level Radioactive Waste Disposal Authority. The Agency's functions will be transferred to the Texas Natural Resource Conservation Commission. The issue of low-level nuclear waste disposal will be an important interim issue as the state continues to look at the need for a low-level waste disposal site, the type of disposal that can be used, and licensing and permitting issues.

2001. The LWVTX worked with other groups to defeat HB 3420 Permanent Management of Low Level Radioactive Waste Act, which would have created privately operated, for-profit waste disposal facilities in West Texas, left the state with liability, and possibly led to contamination of the Ogallala Aquifer. A number of serious questions were raised that helped bring about the bill's defeat: site selection, liability, kind, source and amount of waste, problems of cleanup, and a total lack of public participation in addressing the concerns raised during the process.

2003. The 78th Session will be known as the one in which Texas finally, after many years and legislative sessions, adopted a low-level nuclear waste disposal bill (HB 1567) that was signed by the governor. One of the bad aspects of

this bill will be the acceptance of mixed waste, which means a combination of hazardous waste and low-level radioactive waste, in particular federal mixed waste. The final bill kept the 6 million cubic yard cap on total federal waste, but increased the B and C cap to 600,000 cubic yards. Texas is now in line to become the dumping ground for the hottest low-level radioactive waste, even waste that is not allowed at the low-level site in Utah. The Texas Commission on Environmental Quality will permit a private facility and will begin writing rules for the permitting in mid July.

The League was not successful in killing or modifying the low-level radioactive waste disposal bill, but the positive aspect is that we worked very well with members of a coalition, Beyond Nuclear Power. The LWVTX suggested improvements would have prohibited a private company from holding the license for long-term management, prohibited importation of out-of-state waste for storage, used assured isolation (above ground) storage instead of below ground burial, minimized waste transport, kept waste near the site of generation, and increased the role of the public in decision making.

2005. The LWVTX held a press conference on February 28th in Austin with Representative Mike Villarreal, Representative Pete Gallego, Sierra Club, and Public Citizen to express support for the representatives' legislation concerning the importation, storage, and disposal of low-level nuclear waste in Texas. HB 1656 (Villarreal) directed the governor-appointed Texas Low-Level Radioactive Waste Disposal Compact Commission to contract to accept waste only from the initial compact states

(Texas, Vermont, or Maine). This would amend the existing law to close what is known as the compact loophole. As currently written, the existing law allows the Texas Low-Level Radioactive Waste Disposal Compact Commission, representing Texas and Vermont, to enter into an agreement by majority vote with any person, state, regional body, or group of states to import low-level radioactive waste into the compact facility. The Texas Low-Level Radioactive Waste Disposal Compact Commission would consist of six commissioners from Texas and one commissioner from Vermont.

HCR 85 (Gallego) requested that the lieutenant governor and the speaker of the House of Representatives create a Joint Interim Committee to study issues relating to the importation of radioactive waste into Texas, and that this committee submit a full report including findings and recommendations to the 80th Texas Legislature in January 2007. Recent actions by the Federal Government and requests by a private company, Waste Control Specialists, applying to the Texas Commission of Environmental Quality for a license to dispose of low-level radioactive waste in West Texas have brought to light the expansiveness of Texas law when it comes to the importation, storage, and disposal of radioactive wastes. Currently two state agencies, the Texas Commission on Environmental Quality and the Texas State Department of Human Services control the management and disposal of low-level radioactive waste. The Federal Government has reclassified the by-product from concentrating highly radioactive ore from the Congo as 11-e-2 waste, a low-level radioactive waste classification. This waste is managed by the Texas State Department of Human Services. Waste Control Specialists is in the process of requesting an amendment to their current Hazardous Waste License to bring this waste to West Texas. The 11-e-2 waste is in addition to the low-level radioactive waste allowed by HB 1567 (2003) permitting the disposal of both the Texas Low-Level Radioactive Waste Disposal Compact and Federal Government waste by a private company in Texas. Since passage of that legislation another possible low-level radioactive waste stream has developed. A multinational company, Louisiana Energy Services, has applied for a license from the Federal Government to operate a uranium enrichment facility near Eunice, New Mexico. This facility would produce low-level radioactive waste that could be imported a few miles east into West Texas for disposal.

The issue is complex to begin with and has become more complex due to actions by the Federal Government, a for-profit private company, and the expansively written legislation from last session. Neither HB 1656 nor HCR 85 passed.

2006. The Texas Commission on Environmental Quality is reviewing the application for the Andrews County low-level disposal site.

2007. The LWVTX achieved goals from the last three legislative sessions with the passage of SB 1604. The Texas Commission on Environmental Quality will regulate activities associated with storage, processing, and disposal that relate to uranium mining and radioactive waste, including activities at the permitted low-level radioactive disposal site in Andrews County.

2011. HB 1504 and SB 1605 passed in the 82nd Texas Legislative Session, relating to low-level radioactive waste disposal at the Waste Control Specialists Federal Waste Control Facility being constructed in Andrews County. While the bills were a mixture of protections of the health and safety of people and the environment, many aspects are not healthy or safe for either. On the whole, the legislature opened Texas and the site to the liabilities of out-of-compact waste in a significant way that is ultimately expensive and unsafe for Texas.

SB 1504 (Seliger) allows out-of-compact radioactive waste to be imported with certain restrictions. It includes an annual limit by volume and curies for imported waste, sets a total limit on how much of the site's capacity may be used for imported waste, directs the Texas Commission on Environmental Quality to study the anticipated capacity of the dump site, and clarifies the authority of the Texas Commission on Environmental Quality related to importation. Additional sections of the bill dealt with other matters.

Improvements made in SB 1504 due to advocacy.

- The capacity study date was changed to 2012 from 2014.
- The bill was amended to ensure that Waste Control Specialists must amend their license to accept out-of-compact waste.
- A financial assurance study, which includes assessment for unplanned events or accidents to protect the State of Texas and local governments' budgets, was commissioned.

The LWVTX worked for improvements to SB 1504, but was not successful in all areas. Points that need to be addressed include: (a) a capacity study *before* beginning importation of low-level radioactive waste since the three results of existing studies are so varied, (b) a transportation study to examine emergency preparedness and liability to the state and local governments for accidents resulting from increased shipments of radioactive waste on highways and railways, (c) tighter limits that spread importation over the expected lifetime of the site, (d) clarification of the ratemaking process, and (e) a full study of dangers to nearby groundwater because the results of existing studies are inconsistent.

SB 1605 (Seliger) provides stronger guidance to the Texas Low-Level Radioactive Waste Disposal Compact Commission, stating that it shall operate and be funded independently of the Texas Commission on Environmental Quality and requiring that bylaws be in place prior to the commission reviewing import applications. However, this bill eliminates all six of the current Texas Low-Level Radioactive Waste Disposal Compact Commissioners, giving Governor Perry authority to fill the vacancies midway through the original terms of his first six appointed commissioners.

The LWV sponsored a forum with six panelists for legislators, their aides, and the LWVTX and community members on February 8, 2011, in the Capitol to provide information about the issue. The forum was well attended and appreciated.

Other legislation that pertained to hazardous waste. Senate Bill 329 (Watson and Chisum) that passed will have television manufacturers take back and recycle obsolete televisions, keeping toxic materials such as lead and mercury out of Texas landfills and water sources passed. This bill is one of the rare environmental victories during the 2011 Texas Legislative Session. The League spoke in support of this and other recycling legislation.

2013. The 83rd Legislature was generally a success for the environment and conservation. Several laws were passed that help reduce hazardous materials being released: legislation dealing with clean energy development, water conservation, and significant increases in state funding to state parks and clean air programs. Numerous bad bills failed that would have rolled back environmental regulations and curtailed citizen participation in environmental decision making. Stopping and slowing the release of hazardous materials help create a cleaner Texas environment.

Compared to other states, Texas ranks 4^{th} in total amount of toxic releases into water and 5^{th} in releases into the air. Texas ranks 4^{th} in the amount of recognized cancer-causing carcinogens released into the air and 5^{th} in releases into the water. Texas ranks 1^{st} in the amount of hazardous waste generated.

Some legislation with benefits to public health and the environment are the expansion of the successful Texas Emission Reduction Program and the renewal of the Texas Chapter 313 economic development program, which will allow Texas to continue being the nation's leader in wind power. Each will help with reducing hazardous materials released into the air and water.

In terms of the state budget, significant gains were made in funding essential environmental programs, including using dedicated environmental funds for their intended purpose and not diverting them or allowing them to build up to help balance the state budget. While the legislature ultimately did little to address the problem with dedicated funds across the board, some improvement was made in using parks and clean air funds, which had accrued tens of millions in unspent fund, for their intended purpose.

In other legislative areas, there was mixed success in oil and gas regulation. Positive measures passed included improvements to gathering line safety in rural areas, increased fines for pipeline violations, increased funding for the Railroad Commission, and the setting of regulations for saltwater pipelines. A good resign-to-run provision in the Ethics Commission Sunset bill, which would have prohibited Railroad Commissioners seeking statewide office from collecting campaign contributions from the energy companies they regulate, was vetoed by the governor. And a good Senate bill dealing with water permitting for hydraulic fracturing failed to advance in the House. In addition, a number of good bills dealing with beverage container recycling, paint take-back, and diverting electronic waste from landfills were derailed by industry groups.

Two bad bills, SB 347 and SB 791, dealing with uranium mining and radioactive waste storage were passed into law. One measure ends the ability of citizens to bring meaningful challenges on production area authorization permits for uranium mining. The other significantly increases the concentration of radioactive waste allowed to enter the Andrews County radioactive waste dump without taking adequate precautions to protect public health and safety around the site and on Texas roadways. The bill allows far more radioactivity to come to the site sooner and produces far more revenue for Waste Control Specialists by eliminating the annual caps on volume or curries at the site. This could allow an increase in radioactivity and allows for three times the waste to be stored on the site and transported across Texas. One section of the law appears to allow the executive director of the Texas Low-Level Radioactive Waste Disposal Compact Commission to modify the license without requiring a public hearing or public review, and another section appears to allow a huge fee waiver.

It is important to note that all eight of the nation's low-level radioactive storage dumps have leaked and the cleanup costs have ranged from \$750 million to over \$5 billion. The bill states that when the environmental radiation and perpetual care account reaches \$100 million, fees charged to the company to ensure funds for cleanup are suspended.

2019. Several bills were filed in the House and Senate regarding the transportation and storage of low-level and high-level radioactive waste, carcinogens, and solid waste facilities. We would have supported all but two bills, but most were not even given a committee hearing. The five bills that got a committee hearing were SB 1021 (Seliger) OPPOSE, HB 2269 (Landgraf) OPPOSE, HB 4089 (Blanco) SUPPORT, HB 1391 (Bohac) SUPPORT, and HB 1435 (E. Thompson) SUPPORT. We gave testimony on the two we opposed: both bills passed their committees but were never voted on in their houses. HB 4089 and HB 1391 were left pending in their committees.

One bill did pass both houses and was signed by the governor: HB 1435. This bill requires state environmental officials to actually visit a proposed facility that will store, process or dispose of municipal solid waste before issuing or renewing a permit. It takes effect on 9/1/2019.

We gave testimony on May 30, 2019 to the Texas Low-level Radioactive Waste Disposal Compact Commission regarding Waste Control Specialist's transportation and storage process and site in Andrews County. We also testified on October 17, 2019 before the Environmental Protection Agency in opposition to their proposed policy amendments to their New Source Performance Standards for the Oil and Gas Industry. Both testimonies are posted on the LWVTX website.

C. Public Participation

1986-1988

Promote public understanding and participation in decision making as essential elements of responsible and responsive management of our natural resources.

LWVTX Action

1994. Commenting on proposed compost regulations (see Environmental Protection and Pollution Control above), the League objected to the circumventing of the public participation component during the rule-making process.

1995. In recent years, public participation has emerged as a focus of the LWVTX advocacy efforts in the area of natural resources. During the legislative session, the League testified in favor of a measure that would establish the independence of the Office of Public Interest Council of the Texas Natural Resource Conservation Commission and ensure adequate public representation on the Office of Public Interest Council. We testified against a measure that would have weakened the Office of Public Interest Council duties. Both bills died in committee.

A law enacted in 1995 directed the Texas Natural Resource Conservation Commission to develop criteria to determine who is an affected person/party in the permitting/hearing process. The LWVTX will monitor to determine if rules are proposed that would limit public participation in permit hearings.

Public participation issues led the League representative to Task Force 21 (see Environmental Protection and Pollution Control above), along with representatives of other public interest groups, to resign from that advisory council in 1995. These representatives felt the advisory council's decisions had been reopened and undermined during the legislative session. The League also objected to legislative action that resulted in loss of expense reimbursements for representatives to groups such as Task Force 21.

1997. Public participation in the environmental decision-making process was one of the LWVTX two priority issues during the 75th Legislative Session. The League, working with environmental and consumer groups, helped draft more than a dozen different pieces of legislation that would have increased public participation in environmental decision making, but none passed and most never left committee. A bill directing the Texas Natural Resource Conservation Commission to do an annual enforcement report that will allow enforcement comparisons over a 5-year period was the only League supported public participation bill signed into law. Some bills that the League opposed passed: a cost benefit analysis bill, also known as paralysis by analysis, and the Pine Island Bayou Storm Water Control District bill. The latter was considered a local bill although it will affect a federally protected ecosystem, the Big Thicket.

1999. As in 1997, public participation in environmental decision making was high on the LWVTX legislative action list and, and as in 1997, again met with mixed results. On the positive side, an anti-contested case hearing bill, considered to be Public Enemy Number One, ended up as a bill that effectively enhances public participation by providing earlier notice and protection of the hearing process that is streamlined but retained. Upon hearing the serious criticisms of the original bill, the sponsor invited proponents and opponents of his original bill to sit down, discuss their differences, and try to mold a compromise. Representative Uher was successful, and the bill was signed into law.

To quote our lobbyist, G.K. Sprinkle, "We made a difference." We can point with pride to the fact that we made legislators look at the issue of funding the travel of the public on key Texas Natural Resource Conservation Commission advisory committees. The League succeeded in incorporating a rider allowing the Texas Natural Resource Conservation Commission to fund travel for public members to two key advisory committees.

A bill, supported by the League, that requires the responsible party to report accidental discharges or spills that may adversely affect a public or private source of drinking water within 24 hours. It provides the opportunity for public participation and notification, passed, and was signed into law.

On the other hand the Right to Know Right to Act Agenda did not fare well although early, timely notice was incorporated into the bill discussed above. The establishment of an independent Office of Public Interest Counsel at the Texas Natural Resource Conservation Commission and the environmental justice issues involved in the siting of landfills remain two important issues that have not been put into law.

The governor signed a law that will prohibit the Texas Natural Resource Conservation Commission from requiring computer modeling of air pollutant emissions from concrete batch plants if the Texas Natural Resource Conservation Commission does some modeling in establishing a standard exemption for such plants. This move which will increase the difficulty for the public in using valid scientific data to protect the air.

2001. As in the past few sessions, the LWVTX continued to lobby hard in the area of public participation in environmental decision making. Since the close of the 76^{th} legislative session, the LWVTX has been a member of the Public Interest Sunset Working Group and later a member of the

Alliance for a Clean Texas. The Texas Natural Resource Conservation Commission Sunset/Reauthorization bill contained a number of changes that strengthen public participation in environmental protection, including:

- Cumulative impacts will be considered in issuing permits, an important environmental justice provision.
- Anonymous citizen complaints will remain anonymous.
- Timely responses by the Texas Natural Resource Conservation Commission to complaints received during nonbusiness hours is now required.
- Citizen access to information and avenues for influencing permitting and enforcement decisions are now
 available. For example, all advisory committee meeting minutes, pending permit and enforcement actions,
 and compliance histories and violations by repeat offenders must be posted on the agency website.
- The role of the Texas Natural Resource Conservation Commission executive director in contested case hearings is now limited to solely providing administrative information for the record.
- The mission of the Texas Natural Resource Conservation Commission has been changed to bring balance to the role of economic development.

Another bill that strengthened public participation shifts the notice requirement for multiple plant air permits from the Texas Natural Resource Conservation Commission to the applicant for the permit, requires that the applicant publish notice statewide, and requires that the Texas Natural Resource Conservation Commission provide an opportunity for a public hearing and submission of public comment.

The biggest disappointment was the legislative failure to create an independent Office of Public Interest Counsel at the Texas Natural Resource Conservation Commission. However, a senate interim committee has been appointed to look into this issue that the League and its coalition partners have lobbied for during the past several sessions.

2003. As we have for a number of sessions, the League continued to follow the progress of reform of the Texas Commission on Environmental Office of Public Interest Council. Created by the legislature in 1977 to represent the public interest, the Office of Public Interest Council was the subject of intense scrutiny during the Texas Natural Resource Conservation Commission sunset review process in 2001. Legislation was filed to establish the independence of the Office of Public Interest Council, give the Council the right to appeal commission decisions to courts, and allow the Council to make recommendations to the legislature and participate in advisory committees. Advocates argued, "Only with similar access to trained legal staff and technical experts that those seeking permits have, can people effectively participate in agency decisions that have a direct impact on the health, safety, and environment of their community." In order to provide this level of expertise, the budget must be adequate to fund a technical staff or hire consultants to evaluate permit applications and other public interest issues that come before the Texas Natural Resource Conservation Commission.

Although the effort to make the Office of Public Interest Council independent passed the Texas House but ultimately failed, progress was made in protecting public participation. The sunset legislation authorized the Office of Public Interest Council to use outside technical support and to recommend needed legislative and regulatory changes. It directed the executive director to ensure that advisory committees, work groups, or task forces be used, and that these groups have balanced representation. It further directed the legislature to complete an interim study on the need for an independent Office of Public Interest Council.

The Interim Joint Committee on Natural Resource Public Interest Council charges were to examine (a) the authority of the Council (including the authority to appeal decisions of the Texas Natural Resource Conservation Commission), (b) the resources needed to carry out the function of the office, and (c) the relationship of the office to other public assistance efforts in the agency.

The Alliance for a Clean Texas, and the LWVTX, a member of the Alliance, urged the legislature to adopt the recommendations proposed by the Interim Joint Committee. The Interim Joint Committee report recommended that the Texas Legislature:

- Give the Office of the Public Interest Council an independent budget, including \$100,000 annually for outside technical expertise.
- Allow the Public Interest Council to appeal rules packages, if it appears that they were adopted without proper legal procedure or exceed the authority of the Texas Commission on Environmental Quality.
- Allow the Public Interest Council to appeal when the Texas Natural Resource Conservation Commission has substantially amended a proposal for decision from the State Office of Administrative Hearings and appeal is necessary to serve the broad public interest.

Although a number of bills were introduced, none of them passed. We will monitor the Office of Public Interest Council and wait for another session in which to reintroduce and support these proposed improvements.

III. Social Policy

A. Early Intervention for Children at Risk (Child Health)

1994

Support policies and programs that promote the well-being, development, and safety of all children. These include: child abuse/neglect prevention, teen pregnancy prevention, quality health care including nutrition and prenatal care, early childhood education, developmental services emphasizing children ages 0-3, family support services, and violence prevention.

LWVTX Action

2009. The governor's veto of House Bill 130, despite House and Senate passage of research-based, enhanced quality legislation, ended statewide coalition efforts to advance a full-day, high-quality prekindergarten policy. The veto did not eliminate the \$25 million funding to the Public School prekindergarten expansion program, which will go to the state's existing prekindergarten grant program. This was the largest appropriations increase for prekindergarten in the nation.

Additional legislative oversight and contracting transparency passed for the State Center for Early Childhood Development. Increased funding was obtained for Texas Early Education Model, Early Childhood School Readiness Programs, and School Readiness Certification System. Plus, the passage of HB 635 (Guillen) allows Texas Head Start programs operated by school districts or community-based organizations to qualify for federal grant funding, such as the E-Rate Program that provides discounted access to technological and informational services in the classroom.

Other bills that passed include the following:

- SB 68 (Nelson) requires the Department of Family and Protective Services, before adopting school-age program minimum standards, to convene a temporary work group to advise the Department of Family and Protective Services regarding the proposed standards.
- SB 90 (Van de Putte) allows adoption of the Interstate Compact on Educational Opportunity for Military Children.
- SB 95 (Van de Putte) prohibits the sale or use of unsafe children's products; providing a civil penalty.
- SB 282 (Nelson) funds a grant program to provide nutrition education to children.

2017. Numerous cross-agency bills were proposed with only three bills overcoming political stalemate:

- HB 2039 created an early childhood teacher certification to teach students in prekindergarten through Grade 3.
- HB 674 set limits for our-of-school suspensions for students in prekindergarten through Grade 2 and permits school districts to implement positive behavior management strategies.
- HB 357 expanded prekindergarten eligibility to include children of seriously injured or fallen first responders.

The Texas Legislature cut appropriations for prekindergarten, eliminating the funding for the 2015 High-Quality Prekindergarten Program. Instead, legislators passed a budget rider simply directing all school districts to comply with the program quality standards using a portion of the Foundation School Program kindergarten entitlement, totaling \$236 million statewide for the High-Quality Prekindergarten Program. Educators recognize the need for high standards, but the enforceability of the rider is in question. The best way to drive improvements is through high standards coupled with additional funding to support additional district investment in quality teachers, full-day options, reduced class size, or other improvements.

Legislators failed to improve (a) the transitional Temporary Assistance for Needy Families services, (b) nutrition standards in childcare, (c) a review of the Texas Workforce Commission subsidized childcare program, (d) a staff to child ratio and a group size incident reporting of licensed childcare study, (e) licensed before- and after school programs promoting healthy eating and physical activity, and (f) a task force to coordinate the multiple agency study of parent engagement education programs provided. The legislature also failed to reverse the 2015 therapy cuts for children with disabilities with a funding compromise to provide only a 25% restoration.

2019. Prior to the opening of the 86th Texas legislature, the Dallas Morning News published a series of articles on individuals covered by Medicaid Managed Care. These articles detailed poor administrative practices and inadequate oversight, resulting in negative medical outcomes and even death. As a result, various legislative committees held hearings and multiple bills were introduced related to Medicaid Managed Care. Most important for child health, HB 342, the Children's Health Coverage Bill, attempted to achieve 12 months of continuous coverage for children eligible for Medicaid. This was voted out of the House, but the bill and its provisions died in the Senate. Also related to maternal and child health, HB 25 authorizes a pilot program to allow medical transportation program services to a child if the child's mother is a recipient of Medicaid during a pregnancy, regardless of whether the child is also a recipient of Medicaid. Without this bill, a mother might not be able to take her newborn baby with her when she goes for post-partum care. This bill was passed by both the House and Senate and signed by Governor Abbott. HB 2099, designed to prevent managed care companies from switching medications or other treatments for non-medical reasons, died in a Senate Committee. HB 4533, which tightens Medicaid oversight, was passed and signed into law; SB 1207, which changes the appeals process and is meant to ensure fair hearings, was also signed into law.

Also prior to the legislative session, the Texas Mortality and Morbidity Task Force provided recommendations to reduce the high maternal mortality rate in Texas. The Task Force recommended increased access to health services for women on Medicaid. HB 744 attempted to extend Medicaid coverage to eligible women for one year after the birth of a child; this bill passed the House but was not taken up in the Senate. HB 253 requires development of a post-partum depression strategic plan, and SB 750 requires development of a treatment network. SB 748 requires a report on maternal mortality and morbidity in Texas.

B. Gun Policy

1990, 1994, 1998

Protect the health and safety of citizens through limiting the accessibility and regulating the ownership of handguns and semiautomatic weapons. Support regulation of firearms for consumer safety. (Position in Brief)

The League of Women Voters of the United States believes that the proliferation of handguns and semiautomatic assault weapons in the United States is a major health and safety threat to its citizens. The League supports strong federal measures to limit the accessibility and regulate the ownership of these weapons by private citizens. The League supports regulating firearms for consumer safety.

The League supports licensing procedures for gun ownership by private citizens to include a waiting period for background checks, personal identity verification, gun safety education, and annual license renewal. The license fee should be adequate to bear the cost of education and verification.

The League supports a ban on "Saturday night specials," enforcement of strict penalties for the improper possession of and crimes committed with handguns and assault weapons, and allocation of resources to better regulate and monitor gun dealers.

LWVTX Action

1993-95. Using this position several local Leagues opposed passage of legislation allowing Texans to carry concealed weapons. A concealed weapons law was enacted in 1995. The law required would-be weapons carriers to undergo training and be licensed by the state.

2001. Several gun control bills worked their way through the 77^{th} Legislative Session. Legislation, which did not pass, would have banned gun possession by juveniles convicted of felony-level crimes. Other legislation supported by the League, which also didn't pass, related to background checks of all sales at gun shows.

2003. There was a great deal of interest in who should be allowed to carry handguns and whether or not to allow gun permit holders in other states to carry handguns in Texas. The League strongly opposes the new law that took away the power of the cities to have gun-free zones on designated municipal property. Courts, schools, and racetracks were exempted.

2015. Texas continues to encourage the ownership and use of guns. Gun laws passed this session include an open carry law which allows concealed handgun license holders to carry a gun visibly and a campus carry law that allows concealed handgun license holders to carry their weapons on public school colleges and universities.

2017. There were over 200 bills filed this session with the words, handguns, firearms, or weapon. A good bill that is now law. HB 2359 made the discharge of a firearm in a public place illegal.

The ugliest bill that is now law.

- HB 1692 (Hefner, Bonnen of Brazoria, Dutton, Raymond, Huberty, et al.): Would not allow a school district, open-enrollment charter school, or private school from prohibiting a person, including a school employee, who holds a license to carry a handgun from transporting or storing a handgun or other firearm or ammunition in a locked, privately owned or leased motor vehicle in a parking lot, parking garage, or other parking area provided by the district or charter or private school, provided that the handgun, firearm, or ammunition is not in plain view. Died in Calendars Committee. Amended to SB 1566 on its second reading.
- SB 1566 (Kolkhorst, King): Several House members led a valiant effort to remove the amendment from SB 1566 on its third reading, but were unsuccessful. Passed and signed by the governor. Opposed by the Texas Association of School Boards.

Bad bills that are now law.

• SB 16 (Nichols, Huffman, Bettencourt, Burdwell, Buckingham et al.): Decreased the fee for the issuance of an original or renewed license to carry a handgun.

• SB 263 (Perry, Springer, White, Shaheen, Oleverson et al.): Removed the requirement that applicants to obtain or renew a handgun license be able to demonstrate the minimum proficiency of operating a .32 caliber or above handgun. Proponents argued that Texans should not be prevented from obtaining a handgun license because of physical injury or handicap or preferences for a caliber weapon.

Bad bills that did not pass. HB 375 and HB 1911 would have allowed persons eligible to purchase a handgun to carry without a license. HB 375 died in House Homeland Security & Public Committee; HB 1911 died in chamber.

2019. Several laws will go into effect that weaken gun regulations in Texas, yet not a single gun safety law was passed last session. **We testified in favor of HB 86** (Martinez), creating a criminal offense for the reckless discharge of a firearm, but the bill died in House Calendars committee.

We also supported <u>HB 316</u> (Howard) which would have required the Texas Department of Public Safety (DPS) to develop and implement a campaign designed to encourage firearm safety and improve public awareness on the topics of: 1) prevention of firearm accidents involving children, 2) suicide prevention and 3) the safe handling and storage of firearms. This bill was met with cries that the campaign would indoctrinate gun owners into giving up their "God given second amendment rights." This bill also died in the House Calendars Committee.

The Governor vetoed HB 1168 (Anchia), which would have prevented an airline employee from possessing a weapon in an airport operations area.

Bills we opposed that passed: HB 302 (Paul) allows open or concealed carry in apartment complexes regardless of the owner's wishes. HB 1177 (Phelan) which allows persons to carry a handgun during a declared disaster and in a shelter.

The governor has stated that there will be no special session to address mass shootings in Texas. Inaction is not a solution for Texas families and communities. So for now, we must look to our federal leaders for a solution.

Exhibit 109



PRIMARY ELECTION » MARCH 1, 2022

Governor » Lieutenant Governor » Attorney General » Comptroller of Public Accounts » Commissioner of General Land Office » Commissioner of Agriculture » Railroad Commissioner » Texas Supreme Court » Texas Court of Criminal Appeals » State Board of Education

EARLY VOTING: February 14–25, 2022 » ELECTION DAY: March 1, 2022. Polls open 7 a.m. to 7 p.m.

» EMPOWERING VOTERS. DEFENDING DEMOCRACY.

» VOTING IN TEXAS PRIMARIES

The upcoming Primary Election is extremely important for Texas!

Primary Election: Texas has *open* primaries, which means *all* Texas voters can participate.

- The Republican and Democratic Parties each choose their candidates in a primary election.
- The Libertarian and Green Parties each choose their candidates in a party convention.
- Since many districts in Texas heavily favor one party over the other, the primaries often determine the winner of the General Election!

Even if you do not strongly identify with any political party, you can and should carefully consider the candidate choices and participate in one of the primaries or conventions. Note: Once you have voted in one party primary or convention, you cannot vote in another party's primary or convention, and you can only vote in that same party's runoff election.

General Election: Voting in one party's primary election, convention or runoff election does NOT commit you to vote for a particular party or candidate in the General Election. You can still vote for any candidate of your choice, regardless of party, in the General Election.

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» ABOUT THIS VOTERS GUIDE

This Voters Guide is funded and published by the League of Women Voters of Texas. The League never supports or opposes political candidates or political parties.

» ONLINE VOTERS GUIDE

The online, interactive version of the *Voters Guide* is at **VOTE411.org**. By entering your address, you can view races and candidates that are on your ballot, compare candidates' responses to unbiased questions posed by the League, and create a print-out of your choices to take to the polls. If there is a local League in your community, you can also find information on local races. You can even find out where to vote!





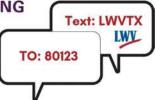
» LEAGUE VOTERS GUIDE POLICY

- Candidate replies are printed without editing or verification.
- References to opponents or specific persons are not allowed.
- In place of any inappropriate response, the Voters Guide will state "Candidate's response did not meet the criteria listed in this Voters Guide."
- Videos that do not comply are removed.
- This Voters Guide is organized by office, with candidates listed by party, including the names of unopposed candidates. (Ballot order at the polls may vary from county to county.)

- Candidates with no photo in this Voters Guide did not submit a photo by the print deadline.
- Candidates who do not respond to our questionnaire by the print deadline are listed with the notation "No response received." Their information may be in VOTE411.org.

» SIGN UP FOR VOTING REMINDERS!

To get voting reminders on your phone, text LWVTX to 80123.



» SUPPORT THE VOTERS GUIDE

Help us fund the cost of this valuable resource for Texas voters by making a secure donation online at **lwvtexas.org**, or by mailing your generous donation to the League of Women Voters of Texas, 1212 Guadalupe #107, Austin, TX 78701.



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» BE A TEXAS VOTER!

The League of Women Voters of Texas fights for the freedom of ALL Texans to vote. Your vote is your voice ... below are the ways to exercise your right to vote. Whichever way you choose to vote, be sure to first check your voter registration status at **VoteTexas.gov**! You must be registered before you can vote!

» VOTE BY MAIL

If you applied to vote by mail . . .

- Ballots are mailed out 30 to 45 days before an election or 7 days after the county election office receives an application.
- · Be sure to:
 - Mark your ballot using a black or blue pen;
 - · Place your ballot in the ballot envelope and seal it;
 - · Place the ballot envelope in the carrier envelope;
 - Complete all information on the carrier envelope, seal it, and sign the flap of the carrier envelope;
 - Pay attention to the voter ID requirements.
- Mail in your ballot as soon as possible. It must be received by 7:00 p.m. on Election Day.
- New: Track your ballot online at VoteTexas.gov!

If you want to hand deliver your vote by mail ballot . . .

- You may hand deliver your marked ballot in person to the county election office on Election Day while polls are open.
- You must show your photo ID when delivering the ballot, and sign a form.

» VOTE EARLY IN PERSON

- You may vote early at any voting location in your county.
- Find polling places at VOTE411.org or on your county election website.
- If you have a disability, you may request to move ahead of other voters in line.
- If in line before the poll closing time, you must be allowed to cast a ballot.

» VOTE ON ELECTION DAY

- In some counties, you can vote at any polling place.
 In other counties, you must vote at your precinct.
- Find polling places at VOTE411.org or on your county election website.
- If in line before the poll closing time, you must be allowed to cast a ballot.

» VOTE IN PERSON USING CURBSIDE VOTING

- If you are physically unable to enter the polling place without personal assistance or likelihood of injuring your health, you may ask that an election officer bring a ballot to your car.
- After you mark your ballot, give it to the election officer or hand it to a companion to deposit in the ballot box for you.
- It is best to call ahead so election officials will expect you!

» VOTE EVEN IF YOU ARE A SUSPENDED VOTER

You can still vote if your voter registration is in suspense! "Suspense" means that your county voter registrar needs to confirm your voting address.

» VOTE A LIMITED BALLOT IF YOU HAVE MOVED BUT NOT RE-REGISTERED

If you have moved to a new county and have not re-registered in the new county by the registration deadline, you may be eligible to vote a limited ballot in your new county. A limited ballot is one that allows you to vote on candidates and measures that are on the ballot for both your former county and your new county, such as statewide and national races. Voting a limited ballot is only available during early voting at the main early voting polling place.





» VOTER ID: WHAT TO TAKE TO THE POLLS

You may use one of seven forms of photo ID, listed below.

- · Texas Driver License
- Texas Election Identification Certificate
- Texas Personal Identification Card issued by the Department of Public Safety (DPS)
- Texas Handgun License issued by DPS
- US Military Identification card containing the person's photograph
- US Citizenship Certificate containing the person's photograph
- US Passport (book or card)

Note:

- IDs may have expired up to four years.
- Persons 70 years or older may use an expired ID, regardless of expiration date.
- ID address does not have to match the voter registration address.
- The name on the photo ID should match the voter registration card or be "substantially similar." If the names don't match exactly but are substantially similar, the voter will initial a box for a similar name when signing in to vote.

Registered voters without photo ID, who cannot reasonably obtain one, may sign a form (described below) and present the original or a copy of one of the following documents with the voters name and address to vote a regular ballot:

- Texas voter registration card
- Certified birth certificate

- Current utility bill
- · Bank statement
- Government check
- Paycheck
- Any other government document such as an out of state driver's license or expired Texas driver's license.

The form to be filled out by registered voters without a photo ID is a "Voter's Declaration of Reasonable Impediment or Difficulty." The voter must mark on the form one of the following reasons for not providing a photo ID:

- · Lack of transportation
- · Disability or illness
- Lack of birth certificate or other documents needed to obtain an acceptable form of photo ID
- · Work schedule
- · Family responsibilities
- Lost or stolen identification
- Acceptable form of photo ID applied for but not received.

Voter Harassment

- Election officials cannot question a voter about the use of an ID type.
- Poll watchers may never question a voter about Voter ID issues.
- If you are harassed, call the Election Protection Voter Hotline!



GOVERNOR

Four-year term. The governor is the chief executive of the state. The governor appoints members to boards and commissions; appoints statewide executive officials, and, when vacancies occur, state judges and district attorneys; delivers the State of the State address; provides guidance to the legislature; calls special sessions of the legislature and sets the agenda. The governor can veto legislation (including a line-item veto on appropriations), sign legislation, or allow it to become law without their signature. Current salary: \$153,750

» QUESTIONS TO CANDIDATES

Qualifications: What training, experience and characteristics qualify you for this position?

Elections: How would you ensure election laws do not create barriers to Texans' freedom to vote while maintaining safe and secure elections?

Power Grid: What further changes, if any, are needed to ensure that Texas has sufficient power in times of extreme weather conditions?

Health Care: What is your position on reproductive rights and how would you address the economic and health consequences for those who seek and cannot obtain abortions in Texas?

Immigration: What is the role of the state government in enforcing federal immigration laws?

Autonomy of State and Local Government: Under what circumstances should the federal government limit the authority of elected state officials? Under what circumstances should the state government limit the authority of elected local officials?

» Inocencio (Inno) Barrientez (D)

No Response Received



» Michael Cooper (D)

Qualifications: I was the President of the Southeast Texas Toyota Dealers association when I secured

the naming rights of the Toyota Center. It is we're the Houston Rockets play. My team had great confidence that I could secure the more than 100 million \$ contract.

Elections: I was arrested in Washington DC fighting for voter suppression bills that are now Law. As Governor I will beto those bills and call special sessions to revoke those bills.

Power Grid: It is common sense Governing as we

just do the required maintenance. The current Governor is so focused on not working with a Democratic President. We should do repairs beyond what the federal Government requires. The same oil and gas companies made millions on Texans that donated 1 million in to his campaign.

Health Care: Again I have skin in the game as I arrested protesting in the streets of DC, against the heart beat bill. As a person that studied the HIPPA LAWS as I achieved my Masters in Psychology I found out that your medical issues are private and no one else's concerns. As Governor I will work to over turn that law.

Immigration: It is the federal Governments job to

LWY

» Michael Cooper (D) (continued)

secure the boarder. We can work alongside them, but we should not spend 250 million dollars on a fence that does not work. We need to spend any extra money or donated money on teachers pay raise, repairing Dilapidated schools and money for pre-K for all children. We should make all remaining non-citizens - citizens sooner than later.

Autonomy of State and Local Government:

If a State or local official is not acting in kind towards the citizens, I believe we would never had integrated schools if it were not for the federal Government forcing Governor Wallace to allow Blacks in all white schools. In Texas we are run by a Republican Party does not recognize all people equal. The federal Government should pass the John Lewis voters act to help.

Campaign Website: https://www.cooper2022.com



» Joy Diaz (D)

Qualifications: Learned about public service from missionary parents who served people who lived in

garbage dumps in MX City Former public school teacher & public radio reporter who learned about the intricacies of TX from the stories of Texans Graduated UT's LBIWCS

Elections: In a Joy Diaz administration, we will ensure that everyone who is entitled to vote, has access to safe and secure elections. Recent restrictions in Texas affect families like mine. My husband is a naturalized US citizen - the perfect target for some of the state's recent voter purges that only serve to intimidate and even suppress the vote. Those laws have to go.

Power Grid: We need to ensure fines to companies that don't winterize are not symbolic — meaning, fines are not cheaper than winterization. At the moment, they're a cheap loop-hole. Texas' focus ought to be - first - to protect the lives of Texans. The interest of for-profit companies should be second. To ensure oversight, the PUC board can't be made up solely of political appointees.

Health Care: As a woman who has gone through

all her reproductive cycles & as the only woman on the Dem ticket running for governor - my goal is for every woman in TX to have access to an array of options - from free and easy access to contraceptions to - if necessary - abortions. She and her doctor are the only ones who can decide over her reproductive life. The disrespect stops now.

Immigration: The Constitution establishes the federal government controls the border - therefore immigration has been and always will be a federal responsibility. But, Texas has a role to play. We need to partner with both the US and MX governments. At the moment, TX has not been a helpful partner. Instead, state policies have contributed to the chaos for political gain.

Autonomy of State and Local Government:

Only extreme circumstances merit the intervention of the federal government in state matters. The same is true for the state overpowering local governments. By "extreme", I mean emergencies such as natural disasters or circumstances in which public health or human rights are threatened. During COVID, TX has overpowagainst the wisdom of health experts.

Campaign Website: http://texasneedsjoy.com





» Beto O'Rourke (D)

Qualifications: Beto O'Rourke is a fourth-generation Texan, born and raised in El Paso where he has

served as a small business owner, a city council member and a member of Congress. He founded Powered by People, a Texas-based voting rights and service organization.

Elections: We can't have fair, safe, and secure elections if our laws are designed to make it harder for communities of color to vote. We must repeal SB1 and then pass online and same-day voter registration, establish nonpartisan redistricting commissions, require the convenient and fair allocation of voting sites, and expand eligible forms of voter ID. **Power Grid:** To ensure power for all Texans we must weatherize all elements of the grid – including gas supply, connect to the national grid, provide backup generation at critical facilities like nursing homes, invest in targeted energy efficiency programs, starting with low-income Texans most in need of ratepayer assistance, and provide immediate relief and protection for ratepayers.

Health Care: We should trust Texas women to make their own reproductive health care decisions. If elected governor, Beto will immediately work to repeal SB8 and the dangerous system that places a bounties on the heads of anyone who supports a woman in deciding her own future.

Immigration: We need predictability, order, and the rule of law at our border. We need a governor willing to collaborate with, not work against, the federal government to enforce our immigration laws and update those laws when they don't meet the challenges of today.

Autonomy of State and Local Government:

The divisions of authority between state and federal officials and state and local officials, are described in the federal and Texas constitutions (and subsequent statutes), respectively. An elected official's authority should be limited when the official acts in excess of their constitutional and statutory authority or otherwise violates the constitution or law.

Campaign Website: http://www.betofortexas .com



» Rich Wakeland (D)

Qualifications: Licensed Engineer & Attorney & Business Owner; Policy Advisor to Commissioner An-

derson, Public Utility Commission of Texas April 2013 - April 2018; Retired nuclear submarine Navy Reserve Captain w/ 4 Commands; Power generation and ERCOT expertise.

Elections: Trust but verify! Make registration simple, secure and verifiable. Increase the time period for early voting. Remove restrictions on Church organized voter turnout efforts and restrictions on Church organized voter transportation.

Enable Church based efforts to register their parishioners and deliver them to the polls.

Power Grid: Reliability can be achieved by a balance of thermal & renewable generation coupled with grid and generation testing. Since 2015 ERCOT has lost 3,000 MW of thermal generation while experiencing growth of over 17,000 MW of wind & solar. An 83%-17% thermal to renewable ratio provides reliability and allows Texas to satisfy the EPA's Clean Power Plan goals. Invest in Texas!

Health Care: U.S. Supreme Court Decisions establish the law of the land, whether or not one agrees with the decisions. Attempts by states to

LWY

» Rich Wakeland (D) (continued)

subvert or undermine those decisions are a direct attack on the U.S. Constitution. Women must have the right to control their own bodies. Texas women who seek abortions consistent with Supreme Court law should not be denied access by state laws.

Immigration: None, Both party's administrations have been inept at stopping illegal immigration; therefore do not follow the federal government's approach. Immigration is caused by economics. Texas must build an economic wall, not a physical wall. If we make them pay to be in Texas, we will reduce il-

legal immigration. Don't wait on the Feds, Texas can take its own economic action.

Autonomy of State and Local Government: Federal limiting of State Officials: Only if the health, safety, or welfare of the public is in danger by state official's actions. State limiting of Local Officials: Only if the health, safety, or welfare of the public is in danger by local official's actions. Authority for decisions should be held at the lowest level of government to keep citizens engaged and empowered.

Campaign Website: http://wakelandfortexas .com

» Greg Abbott (R)

No Response Received



» Paul Belew (R)

Qualifications: Although possessing no political experience, I am a criminal defense attorney and as

such have a very strong personality and strong prescence. My ability to navigate through many jury trials have given me the proper tools and education to be elected.

Elections: We should all want secure yet accessible elections. I believe voter id and poll watching are viable non-restrive options. Also I am not opposed to expanding voter locations IF properly secured and against voter fraud. We all should strive to make voting accessible, yet those elections should be valid and elections with integrity. THOSE elections we can trust as valid.

Power Grid: Power grid needs to be managed by Texans. Texans know Texas and as such Texans should govern over the power grid. It is my un-

derstanding that the turbines in certain areas are still not insulated and ready for what happened last year. This is unacceptable. People in charge need to take charge and ensure that protocols are developed and followed; if not consequences result.

Health Care: As a criminal defense attorney, I am bound what is called "The Rule of Law." At this time, Roe v. Wade is the law of the land. Texas has tried indirectly to supplant that decision and it will be interesting to see what the result will be as not everyone agrees with Roe v. Wade. At this time though it is the seminole case on reproductive rights, but that may change soon.

Immigration: State government especially a border state such as Texas should have great authority in enforcing federal immigration laws, hoever, in reality we as a state do not. The Feds normally prosecute illegal aliens. Our hands are tied somewhat in that if we take a position contra to that of the Feds,

LWV

» Paul Belew (R)

the Feds threaten and do at times with hold certain state funding; unaccepatble.

Autonomy of State and Local Government:

Federal government should only limit the authority of elected state officials in very limited and special circumstances as any intervention by the Fed-

eral government could lead to an intrusion on the 10th Amendment. As to state government limiting authority, I believe at times it is necessary when the actions and/or policies of local officials adversely affect Texas State.

Campaign Website: https://www.paulbelewin 2022.com



» Danny Harrison (R)

Qualifications: Current Small Business owner and manager of a \$6 million dollar per year business that

is growing in size every single year. Former: Texas State Historical Commission; Former Luxury hotel manager. Former Rural Development Specialist **Elections:** I would propose making our local national guard units conduct fair and secure elections for all counties.

Power Grid: That is a simple question for me. I think we need to improve old electrical grid infrastructure and make it compatible with cuirrent usage demands. Simply put, some of our older lines that went down had never been replaced and when we chose energy deregulation to get cheap electric, companies like Oncor and Texas New Mexico and others stopped investing.

Health Care: I strongly support the idea that Roe must be overturned in the courts and the abortion

under any voluntary circumstance should be made illegal. Point blank it saves lives and public money. **Immigration:** We need a human shield and our national guard should be used as a wall until we can get one built. Point blank—if the Federal government is not going to protect our border then Texans will and if we need to deputize and train Texans to serve and defend our border then I say that we do it.

Autonomy of State and Local Government:

Everything boils down to local support and control. Who knows better than local leaders how to manage their local government? Simply put—nobody. That being said, I do believe that County Judges and Mayors should operate independently, as well. They each have their own jurisdiction and they each should be able to make their own judgement calls for their constituents.

Campaign Website: http://www.dannyharrison fortexas.com



» Kandy Kaye Horn (R)

Qualifications: I am an educated and successful businesswoman, able to make decisions, delegate respon-

sibilities and hold people accountable for their results. I have compassionate and empathetic concern

for post Pandemic Texans experiencing hardship. I bring Hope.

Elections: As Texans are allowed to vote by mail, every vote must be validated as true and correct to ensure accurate results. It should be electronically possible to verify the identity of voters. Election laws cannot be passed that would prevent Texans



» Kandy Kaye Horn (R) (continued)

the right to cast a vote in an election, regardless of mailing in a ballot or voting in person at precinct. Power Grid: In order to alleviate power surges on the power grid, additional forms of power must be used to assure that the grid can service our growing population, including more wind turbines and Nuclear power plants. Nuclear energy has proved to be safe and efficient in other states. Infrastructure upgrades to the current power grid should be made for power surges due to weather.

Health Care: I believe there are alternatives to abortion, including many organizations that can assist a woman through gestation and delivery of a child. Adoption is an option. Due to personal religious beliefs, I cannot support the act of abortions. I believe life begins at conception.

Immigration: The federal government has neither the manpower or the ability to stop illegal immigrants from crossing our vast border without cooperation of state law enforcement personnel. People who pass through our border without proper documentation are breaking the laws of immigration and shortcutting the path to citizenship. Illegal immigration is an intentional crime.

Autonomy of State and Local Government:

When federal laws are broken by states, federal government has a right to intervene and protect citizens.. The same authority is given to state government to protect the citizens of any municipalities. The system of checks and balances is the cornerstone of democracy and prevents individuals from taking the authority of heir office to detrimentally harm Americans.

» Don Huffines (R)

No Response Received



» Rick Perry (R)

Qualifications: Originally the founding fathers set up our form of Government for citizen legislators to

serve. We need more citizens to step up and less "experienced" politicians. I am qualified for that reason. I believe in the Constitution and will fight for it. **Elections**: It is extremely easy to vote in Texas. Texans need to have confidence their lawful votes will be counted and be assured that people who commit fraud are punished. Many jurisdictions now cannot be audited because there is no paper trail. We need auditable elections and harsher penalties for vote harvesting and voter fraud.

Power Grid: The deregulation scheme we have in Texas did not work last February. Yes deregulation can drive prices down, but as we saw in the power outage last year it also can be exploited by the politically-connected for profit. We need to ensure our grid is independent, secure, and reliable, and that it serves the needs of the people, not the politically-connected.

Health Care: Killing babies in the womb is not healthcare. Dressing it up as women's healthcare does not change that fact. Abortion clinics don't provide healthcare — they kill babies. Fifty-nine percent of abortions were people in their twenties. Seventy-four percent are black. Abortion is a genocide of a race of people.



OCA-APPX-1632

» Rick Perry (R) (continued)

Immigration: The Federal Government was created by the States. Texas is a sovereign State that is being invaded by hoards of immigrants that have no desire to make America any better than where they've come from. Texas has a duty to her citizens to secure the border and resist the Federal officials who are trying to undermine that duty.

Autonomy of State and Local Government:

This issue is also about sovereignty. The Federal Government has no authority to limit anything in our State without our consent. The States created the Federal Government to serve them not the other way around. There is a reason why the Constitution limits what the Federal Government can do. Local officials should be limited when they act against the will of the people.

Campaign Website: http://PerryForTexas.com



» Chad Prather (R)

Qualifications: 20 year resident of Texas 49 years old Current: Television host, Blaze TV and Blaze Media

Former: Executive with Granger Industrial (Fortune 300 company) Senior church pastor in Georgia and Alabama

Elections: We must ensure legal, valid voter rolls. Texas must focus on in-person voting with absentee ballots utilized when legally necessary. We must not allow the practice of mail in voting or ballot box drops. Polling places must be easily accessible and a valid ID should be required. Ballots are to be counted manually and forensic audits should be utilized.

Power Grid: Our coal plants need to be turned on and not dormant. In our last weather crisis coal could have been utilized effectively and saved lives. Our grid must be maintained and managed properly by directors within the state of Texas. Green

energy must no longer be subsidized by taxpayer dollars when they fail. More nuclear should be added when it makes sense financially.

Health Care: I believe that life begins at fertilization and is created in the image of God. Abortion should be illegal in Texas. In the case of a mother's health being placed at risk by pregnancy then there must be physician guided assistance. However that is a statistical anomaly that is extremely rare and should be handled on a case by case basis.

Immigration: State government must establish state sovereignty which includes protecting state borders from illegal crossings. Article 4 Section 7 of the Texas Constitution states that the governor is the commander in chief of the state with direct authority to enforce such immigration.

Autonomy of State and Local Government: In the case of constitutional violations or illegal actions or proceedings.

Campaign Website: http://Prather2022.com

» Allen B. West (R)

No Response Received



LIEUTENANT **GOVERNOR**

Four-year term. The lieutenant governor is powerful because of their position as president of the Texas Senate, where they appoint the chairs and vice-chairs of committees; appoint senators to committees; assign bills to committees; and control the Senate's agenda. The lieutenant governor is also a member of several commissions and boards, and serves as governor in the governor's absence. The salary is that of a State Senator when serving as President of the Texas Senate and that of the Governor when serving in that capacity.

» QUESTIONS TO CANDIDATES

Qualifications: What training, experience and characteristics qualify you for this position?

Power Grid: What further changes, if any, are needed to ensure that Texas has sufficient power in times of extreme weather conditions?

Autonomy of State and Local Government: Under what circumstances should the federal government limit the authority of elected state officials? Under what circumstances should the state government limit the authority of elected local officials?

Health Care: What is your position on reproductive rights and how would you address the economic and health consequences for those who seek and cannot obtain abortions in Texas?

Public Safety: What are some solutions to enhance public safety in Texas? How do we balance these solutions with protecting civil rights?



» Michelle Beckley (D)

Qualifications: I was elected to the Texas Legislature in 2018 and became the first Democrat to ever represent

District 65 in Denton County. I said I would fight for healthcare, education, & the environment and did. This led to an improved margin win in 2020.

Power Grid: The 87th legislature did not do enough. Texas needs to reverse the course of deregulation and consider the option of connecting back to the national grid. El Paso & Texarkana did not lose power like the rest of the state, both are connected to the national grid.

Autonomy of State and Local Government: Texas has been controlled by the GOP for over 25 years. State officials are running amuck due to checks & balances that no longer exist. The federal government needs to address the Voting Rights Bills. We saw our freedom to vote diluted as well as extreme gerrymandering in 2021. The state government should not interfere with local health regulations.

Health Care: The attacks on women's healthcare should not continue. I voted against HB8. There should not be \$10,000 bounties on women & health professionals. A womans's choice on abortion is between her and her doctor.

Public Safety: I had a city come to me with the issue of a police officer that had been fired with cause now working at a neighboring city. Municipalities should be able to know this information upon hiring or the problems can't be addressed and will continue. Texas needs to look into solutions to address these issues and solve them.

Campaign Website: http://www.michellebeckley .com



OCA-APPX-1634

LIEUTENANT GOVERNOR | (continued)



» Carla Brailey (D)

Qualifications: I have served Texas as an educator, advocate, and Texas Democratic Party Vice-chair

as a champion of people and working families. Equity in education, economics, opportunity, and justice is the best way to move Texas forward for all people.

Power Grid: We must fully weatherize our grid to prepare for extreme weather conditions. We need to fully accept the recommendations of the Federal Energy Regulatory Commission and prepare all of Texas for climate change. We must build better oversight, accountability, and transparency to insure Texans from another failure.

Autonomy of State and Local Government: It is the responsibility of each government entity to work together for the benefit of the people that they serve. We live and serve in a representative democracy and to limit the authority of a government to do what is best for the people is taking away their representation.

Health Care: I am in full support of a woman's right to make choices for her reproductive health. We must provide education and access to every woman in Texas to make the best choice for her and her family. We also must support women by advocating for safe abortions across this state and making way for that to happen even under this archaic law.

Public Safety: Every community should feel safe in their own home and neighborhood and experience their civil rights and liberties. We must start with continuous training for our officers with emphasis on inclusion and diversity, including (1) recruiting, hiring, and promoting women in leadership and (2) increasing community-centered policing, particularly in communities of color.

Campaign Website: http://carlafortexas.com



» Mike Collier (D)

Qualifications: Mike spent his career as a CPA and an auditor at PriceWaterhouseCoopers before be-

coming a CFO of a Texas energy company, helping create good-paying jobs. His experience as an accountant gives him a deep understanding of how our state's budget works.

Power Grid: For years, our state leaders were warned about the grid's vulnerability and did nothing. As a result, Texans froze, Texans died, and corporations got rich. We must winterize our gas supply, invest in smart grid technology, and increase power storage. We must also ensure that Texas families do not pay more when companies pay less for an unreliable grid.

Autonomy of State and Local Govern-

ment: If the behavior of any official is inconsistent with our constitutional rights, then it is the responsibility of the federal government, particularly the courts, to step in. That said, local control is key to accountability, and it's at the heart of a healthy democracy. So, as Lt. Governor, I will work closely with duly elected local partners—not against them.

Health Care: Mike will defend our constitutional rights so that women will be masters of their own health and their own destinies. The Principles laid down by Roe v Wade and have guided us for nearly the last fifty years are reasonable and are supported by the vast majority of Americans.

Public Safety: Mike will work to reverse laws that allow criminals to access firearms and put our

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LIEUTENANT GOVERNOR (continued)

» Mike Collier (D) (continued)

communities and law enforcement officers at risk. Further, we all want law enforcement that we know, trust, and are accountable to our local communities. We must also invest more in mental health training and restorative justice to create safer, more prosperous communities across Texas.

Campaign Website: http://CollierforTexas.com

» Trayce Bradford (R)

No Response Received



» Todd M. Bullis (R)

Qualifications: I am and have been a Local Precinct Chair in Denton Texas for the last two sessions

and have been a delegate during that time as well. I have worked and supported abolition across this nation.

Power Grid: We need to oppose the federal Gov, rules and regulations. Nullification would work just fine.

Autonomy of State and Local Government:

I believe Texas needs to oppose the federal Gov and leave the USA. It is time for Nullification to start with while we work on Secession.

Health Care: I am an Abolitionist, Abortion must become a crime. If Abortion becomes a crime 99% of it will go away. The Government is not the parent and people need to be responsible for themselves. Family and churches should step up and help. I believe in equal protection under the law and abortion is murder.

Public Safety: I believe we harshen many of the criminal penalties. Abortion, rape, murder, molesting, and attempted murder should be death penalty crimes. No more housing and parole for death penalty crimes. We need to allow everyone that is not in jail to carry a gun.

Campaign Website: http://electtoddbullis.com

» Daniel Miller (R)

No Response Received

» Dan Patrick (R)

No Response Received



LIEUTENANT GOVERNOR | (continued)



» Aaron Sorrells (R)

Qualifications: Successful small business owner with 26 employees and growing. Managed people most my life with corporations and now

as an owner. I understand how to manage people, money, andl budgets.

Power Grid: Winterizing the grid is borderline impossible and ultimately won't work because when the roads are frozen, nothing can move on the road. We need to move away from green energy and start utilizing the resources of Texas like Natural gas plants, Clean Nuclear, and coal. No one is going to make those plants though when they are only utilized in an emergency. Too expensive.

Autonomy of State and Local Government:

The federal government only has authority delegated to them by the Constitution. Anything out-

side of that belongs to the State. It's that simple. We no longer follow those rules and that's why we are in this position today.

Health Care: There is no such thing as a reproductive rights. I don't care how the left wants to word it. This is another way to get around the concept of Abortion. Abortion should be abolished. I do not believe we should criminalize the women who still manage to get abortions illegally and instead prosecute the doctors that disobey the law. Public Safety: There are no solutions to enhance public safety. Safety is an illusion. Our government was not meant to keep us safe and protected. It was meant to keep us free. The government needs to stop interfering in our lives and we will have less civil rights problems because most people just want to go to work, live their lives, and be left alone.

Campaign Website: http://s4tx.com



» Zach Vance (R)

Qualifications: I am truly a good person who loves Texans and wants to make their lives better and easier. I'm a Marine who will always do the

right thing, especially when no one else is looking! And most importantly I believe in bipartisanship and working together.

Power Grid: I believe we can have both affordability AND reliability. Energy companies and gas providers make enough money to ensure that they are prepared and protected from extreme weather WITHOUT additional costs to the consumer. If elected I will charge the "Temporarily Winter Storm Surcharge" on your utility bill to gas providers that posted profits of 20 percent or higher.

Autonomy of State and Local Government:

The balance between Federal, State, and Local control is a tight line to walk. The line breaks though when ANY of the elected officials stop doing what is in the best interest of the whole and only do things to appease their base. I believe most author-

ity should remain under local control, but it depends on the issue. I believe city and county leaders know what is best.

Health Care: I believe in freedom and limited government and that means that lawmakers don't have the right to tell a woman she cannot choose when to become a mother. Instead of focusing on ending abortion, the state needs to focus on giving foster children better lives and make it easier for loving families to adopt a child. Abortions should be easily accessible and affordable.

Public Safety: We need to severely punish violent criminals, thieves, sex criminals, and people who use a firearm to commit offenses. Helping women get out, and stay out, of abusive relationships will be a top priority of mine. As well as severely punishing the offender/abuser while doing a better job of protecting the victims. Texans safety is of the utmost importance to me!

Campaign Website: http://www.4abettertexas.com



ATTORNEY GENERAL

Four-year term. The attorney general is the chief law enforcement officer of the state; represents the state and state officials in legal matters; issues opinions; oversees collection of child support; administers the crime victims compensation fund; enforces the open records/open meetings acts; approves public bond issues; and enforces consumer regulations. Current salary: \$153,750

» QUESTIONS TO CANDIDATES

Qualifications: What training, experience and characteristics qualify you for this position?

Elections: What is the Attorney General's role in protecting Texans' freedom to vote while maintaining safe and secure elections?

Health Care: What is your position on reproductive rights and how would you address the economic and health consequences for those who seek and cannot obtain abortions in Texas?

Immigration: What is the role of the state government in enforcing federal immigration laws?

Priorities: As Attorney General, what would be your highest priorities for the next four years, and how do you intend to accomplish them?



» Mike Fields (D)

Qualifications: I am a former Harris County Assistant District Attorney, former Assistant Texas Attorney

General and Retired Judge of twenty years. I have a Criminal Justice degree from Texas State University and a Law Degree from St. Mary's Law School. **Elections**: The Attorney General should ensure that all laws passed concerning voting rights and redistricting pass Constitutional muster. If they don't, the AG should work to see that they do. **Health Care**: I firmly believe all persons, even those who choose to make the difficult decision of terminating a pregnancy, are "pro-life." Suggesting otherwise is unfair and offensive. Women should have free access to reproductive care and a Constitutionally protected right to make their own reproductive decisions. The AG should fight to make that right a reality.

Immigration: Federal laws should be left to the federal government. The full faith and credit of the United States depends heavily on the consist application of our federal laws. When individual States interfere in the consistent application of our laws, the entire Nation suffers.

Priorities: Texas is seeing unprecedented population and economic growth due, in large part, to our business friendly laws. My highest priority would be to ensure that laws regarding voting, equal rights, reproductive rights and civil rights for all, including the LGBT community, continue to encourage that growth.

Campaign Website: http://www.mikefieldsforag .com



» Rochelle Mercedes Garza (D)

Qualifications: I have experience in immigration, family, criminal, and constitutional law. My work has resulted in the "Garza Notice," a requirement that teens in immigration detention have a right to access abortion, reinforcing a constitutional right nationwide.

Elections: As AG, I will dismantle the wasteful



ATTORNEY GENERAL | (continued)

» Rochelle Mercedes Garza (D) (continued)

"election integrity unit" — which is really about enforcing the GOP's voter suppression measures, instead of protecting voting rights — and replace it with a voter protection unit under a fully funded civil rights department. I will ensure voting rights are protected, not undermined, especially for voters of color.

Health Care: Abortion care is health care, and health care is a human right. Reproductive choice is a moral imperative and an issue of racial, economic, and gender justice. I'm committed to restoring abortion access in TX and defending the rights of women and pregnant people anywhere they're threatened. I've defended reproductive rights before and will do so as TX AG.

Immigration: Immigration enforcement falls un-

der federal jurisdiction. As an immigration attorney & border native, I understand the complexities of our immigration system. I have litigated against bad policies, like Remain in Mexico, that have created a humanitarian crisis at the border. Texas' enforcement efforts at the border are unconstitutional, wasteful and only worsen the issue.

Priorities: As AG, I will fight for our Texas families. This means protecting constitutional rights, including voting & abortion rights; consumer protection, so our energy grid doesn't fail; and prioritizing public health, so municipalities & schools can protect people in the middle of a pandemic and our rural communities have the infrastructure they need, like clean drinking water.

Campaign Website: http://RochelleGarzafor Texas.com



» Joe Jaworski (D)

Qualifications: Licensed TX attorney; 30 years' experience in trial/appellate litigation in TX state and

federal courts. TX mediator; 8 years local govt. experience: councilmember, mayor pro tem and mayor of Galveston, TX. Mentored by my grandfather Leon Jaworski.

Elections: I will form a voter access unit from the ashes of the AG's fake voter fraud division because TX voters should turn to the AG's office when their voting rights are suppressed. District and County attorneys may initiate fraud prosecution to keep our elections safe, but access is the key. I will ensure principals are registering high school seniors. Elec. Code 13.046(d)

Health Care: I support the Rule of Law set forth in Roe v. Wade and Planned Parenthood vs. Casey. Abortion should remain legal and available before fetal viability outside the mother's womb. Government should get out of the way of family planning

education and broad reproductive healthcare access. As Texas AG, I would advocate for these positions in court.

Immigration: State government should partner with the federal government to enforce federal immigration laws. For example, as Texas AG I would dedicate part of my \$1.1 Billion budget to hire eight SAUSAs (Special Asst. U.S. Attorneys) to work under the direction of the United States Attorneys for the Southern and Western Districts of Texas to prosecute cartel immigration crimes.

Priorities: On day one of my administration, I will dismiss any lingering lawsuits brought by the Texas AG against the ACA before lunch. I will testify in the 2023 Legislature for cannabis legalization (for jobs, to help our veterans, and to give our police a break so they can fight real crime). I will ensure principals register every 18 year old pursuant to Tex. Elec. Code 13.046(d).

Campaign Website: http://www.JaworskiFor Texas.com

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ATTORNEY GENERAL | (continued)



» Lee Merritt (D)

Qualifications: I have spent my legal career doing the work of the "people's lawyer" and running one

of the leading constitutional firms in the country. My work has been recognized by Our Revolution, NAACP, ACLU, Innocence Project, National Bar Association, and SPLC

Elections: I am committed to engaging more voters, fighting gerrymandering, providing felons with the right to vote, making election day a federal holiday, providing drive through voting, and opposing voter ID legislation. I would also challenge voter suppression laws using, inter alias, the Americans with Disabilities Act.

Health Care: I will litigate on behalf of organizations that provide safe abortions, end over-policing of women who choose to have abortions, and work to expand accessible healthcare. I will work with law makers to codify the protections offered in

Roe v. Wade and side with Texas women against extremist conservative legislation.

Immigration: It is a responsibility of the state government to take actions such as conducting immediate investigations on unfair conditions in detention facilities, fighting against private immigration centers, allowing access of overseers in immigration facilities, and providing more resources such as additional judges, attorneys, translators, and social workers at our borders.

Priorities: My highest priorities are to improve voter protection, ensure women's reproductive rights, and to protect our public schools. I will focus on engaging new voters through community outreach and work towards public financing of elections. I will cooperate with state and federal legislators to codify Roe vs. Wade. I plan to fight for policies like the College Act.

Campaign Website: http://www.leemerritt4texas .com/



» S. "TBone" Raynor (D)

Qualifications: Fresh out of SMU Law School, I became General Counsel at a nationwide financial

group involved in hundreds of lawsuits. I jawboned many Sec. of State. Managed two Pro Bono Legal Clinics. General Practice. I believe in balancing Science and Economics.

Elections: The A.G. needs to promote access and justice allowing each citizen to vote and for each vote to count equally. Five years ago, I donated \$10,000 to The Carter Center for election monitoring. A.G.'s role is not to subvert democracy wasting millions. A role of the A.G. should be to help unvaccinated disabled citizens get current ID's through home visits so they can vote.

Health Care: U.S. Judge Jack scolds Texas for abandoning abused foster children-all 250 Texas facilities failed; Texas declined billions in Federal tax dollars for basic health care for millions of Texans who then clog our ER's when worried parents could have taken their kids to an Internist. I have protected children in CPS, assisted adopting parents. I support Planned Parenthood.

Immigration: United Methodist ministers got me to start a pro bono immigration clinic, Justice For Our Neighbors, staffed with SMU law students from all over the world. We ethically helped some folks but turned away others. My firm has assisted school Superintendents for years. The immigration system is broken and the border a mess. I would follow Federal laws tempered with mercy.

Priorities: Choosing what laws to enforce using



ATTORNEY GENERAL (continued)

» S. "TBone" Raynor (D) (continued)

Micah 6:8, not through political corruption requiring loyalty oaths of Collin County Judges. Using the Courts/media to fairly reduce: jail populations

by mental health treatment; foster care sanctions using churches who have successful people who know how to help; our property taxes. Jail people committing fraud; collect child support.



» George P. Bush (R)

Qualifications: Candidate's response did not meet the criteria as listed in this Voters Guide.

Elections: The AG must ensure that our elections system is fair, just, and secure. As Attorney General, I will rebuild trust with our District Attorneys, lead the charge in prosecuting cases on election fraud and expand our state's election integrity unit.

Health Care: To me, nothing is more important than protecting life in Texas. As a lifelong catholic, where I stand on the issue is very clear. Life is not negotiable. Our children deserve an Attorney General who isn't going to just file lawsuits in the name of life, but one who can file suits and find innovative ways to win on behalf of the right to life.

Immigration: Our Attorney General is the first line of defense against the federal government. As Attorney General, I will: 1) Work with the Governor to deploy more National Guard troops to the Texas/ Mexico border; 2) Toughen criminal penalties on drug smugglers and human traffickers; 3) Finish President Trump's wall and continue building the Texas wall.

Priorities: My top priorities will be restoring integrity back to the Office of Attorney General, protecting our borders and elections, standing up to the federal government to protect Texans' constitutional liberties, and defending and standing with law enforcement. Texans can rest assured that I won't just file suit against the Federal Government, but I'll also win the cases filed.

Campaign Website: http://georgepbush.com

» Louie Gohmert (R)

No Response Received

» Eva Guzman (R)

No Response Received

» Ken Paxton (R)

No Response Received



OCA-APPX-1641

COMPTROLLER OF PUBLIC ACCOUNTS

Four-year term. The comptroller is the chief financial officer of the state; collects state taxes and fees; pays the state's bills; provides revenue estimates to the legislature; certifies the budget; reports the condition of the state's finances; and provides economic development assistance to local governments and private businesses. Current salary: \$153,750

» QUESTIONS TO CANDIDATES

Qualifications: What training, experience and characteristics qualify you for this position?

Rainy Day Fund: What is the optimal amount to be held in the Rainy Day Fund and what is the criteria for usage? What is your opinion on using the fund to pay down the state's debt vs. using it to help citizens that have been harmed by catastrophes?

Taxes: In your opinion, what is the proper balance of tax revenues sources to fairly fund state government, including public schools?

Financial Obligations: What needs to be done, if anything, to ensure that Texas can meet its long-term financial obligations such as infrastructure maintenance, state employee pensions and health care coverage for public school teachers and employees?

Priorities: As Comptroller, what would be your highest priorities for the next four years, and how do you intend to accomplish them?



» Janet T. Dudding (D)

Qualifications: I'm a certified public accountant (CPA) who's spent my adult life in governmen-

tal accounting, auditing, administration and even investigations.

Rainy Day Fund: Government Finance Officers Association recommends a minimum of 2 months of regular revenue or regular expenditures be maintained in a rainy day fund. Typically, rainy day monies mitigate the risk of unstable revenues or unexpected expenditures. Natural disasters fall into the second category. The state of Texas' general obligation debt currently is rated Aaa/AAA/AAA.

Taxes: The Texas Legislature added \$6.5 billion dollars in funding to public schools in 2019. Yet per a 2021 SPLC report, Texas currently ranks 40th in the nation. New revenue streams are needed. Legalizing adult-use cannabis could bring \$1 billion in tax revenue (and decriminalization could save \$300

million). Look at "green" taxes to build revenue streams from green energy.

Financial Obligations: Regarding infrastructure, Texas should accept the \$35 billion of federal Infrastructure and Jobs Act dollars. With fuel efficient vehicles, it would be interested to look at creating a revenue stream from alternative fuels to maintain roads. Public school employees in all but ~12 school districts do not participate in social security and they should. Find the money.

Priorities: Comptroller has the bully pulpit on how our money is spent. Expanding comp mental health & healthcare to 1.4 million adult Texans saves \$100 million in state tax and our property taxes. Work with local governments re broadband as a local utility, keeping the costs down and creating an income stream. Work with state agencies, reduce methane emissions on state property.

Campaign Website: http://janetdudding4texas .com



COMPTROLLER OF PUBLIC ACCOUNTS

(continued)



» Tim Mahoney (D)

Qualifications: Trained as a journalist in the 1970's (Texas Observer and DMN), went to the LBJ School of

Public Affairs (UT-Austin) in the 1980's, then to Law School. I have been a practicing attorney since 1992. **Rainy Day Fund:** The Rainy Day fund was set up as a tool to smooth out a revenue source: oil and gas related tax collections. The Fund is not designed to correct chronic underfunding of state services. If there is a need for funding then the Legislature should find a way to provide additional funding. As Texas Comptroller, I will not play games with the important duty the position requires

Taxes: The proper balance between tax revenues and the proper funding of state government has been a wrecking ball. Texas officials have played a game of hide and seek regarding tax revenues and the adequate funding of state government for decades, especially including public schools. We need

to break out of the secret codes and share information with our fellow Texans.

Financial Obligations: Long-term financial obligations are not filtered through the legislative process, partly because the Legislature does not care, and the Comptroller has been complicit with that intentionality. Building more powerful regional information structures can thwart the inaction of the Legislature. Building long term policy changes requires a sustained regional interest.

Priorities: The Texas Comptroller is the largest public data center in Texas, and we should begin to produce information in a transparent form that enhances every region in Texas. If we understand that there is more power in collaboration than in division, we can begin to build a Texas government that belongs to all Texans. Our Redistricting process should result in compact districts.

Campaign Website: http://www.TimMahoney Campaign.org



» Angel Luis Vega (D)

Qualifications: I am a purposedriven professional offering over 20 years in business strategy, fi-

nance, operations, managing multimillion-dollar budgets, and large groups of people. Bachelor of Business Administration & Master in Management & Leadership.

Rainy Day Fund: We should increase the fund to 25 billion & allocate 1.75 to 2 billion annually. The primary purpose of these funds should be for natural disasters and recession to support our communities, support people keeping their homes, adequately fund our schools, support any healthcare

crisis, provide food assistance and guarantee public safety.

Taxes: Suppose we focus on boosting Texans entrepreneurship, attracting new business opportunities, eliminating the corporate tax loopholes, and reducing the unemployment rate to under 3%. In that case, the proper balance of tax revenue could be at 145 billion. For the spending budget, 140 billion annually, including public school funding and health care.

Financial Obligations: We need to have a transparent tax administration. Be effective in forecasting, identifying the fundamental long-term obligations, putting our community first without eliminating essential funds for our public school



COMPTROLLER OF PUBLIC ACCOUNTS

(continued)

» Angel Luis Vega (D) (continued)

teachers, employees, retirees, and community programs. Invest strategically, attract more business ventures to the state and legalize recreational marijuana.

Priorities: I would focus on transparency, accountability, efficiency, optimizing the office's capabilities, boosting entrepreneurship, attracting new business opportunities, thriving jobs, and reducing unemployment under 3%. Guarantee retirement security & protect pensions. I will make decisions in the interest of all the people of Texas, not the special interest groups.

Campaign Website: http://www.angelvega.com



» Mark V. Goloby (R)

Qualifications: I have a BBA in Accounting from Texas A&M and began my career with Dresser In-

dustries in Internal Audit and then worked as Texas Region Controller for GTE Mobilnet. Before starting Total Cellular Technologies later shortened to TC Technologies.

Rainy Day Fund: The Comptroller should seriously investigate a reduction in the state sales tax rate. Texas is blessed with a significant surplus. That equates to taxpayers of Texas paying too much in taxes. A sales tax is the most regressive tax there is and a 1/2% reduction would be a relief across all socioeconomic levels. A healthy reserve for Texas is good, an exorbitant one is not.

Taxes: Current property taxes are out of control. But that is the fault of a fundamentally flawed appraisal district process and local taxing authorities that refuse to lower tax rates to at least offset some of the increase in the tax base. It is unconscionable that Texans are getting taxed out of their homes while Chapter 313 is giving 37.5% discounts in ISD taxes.

Financial Obligations: These are critical obligations Texas has entered into and must be adhered. Even the completely egregious Chapter 313 agreements must be honored even though they will continue to cost Texas Taxpayers a \$1billion+ per year until 2037. The Comptroller is derelict in his fiduciary responsibility by not reviewing whether the companies getting these subsidies are honoring their

Priorities: The comptroller should be a watch dog on how the financial resources entrusted by the taxpayers to Texas as spent judicially. The legislature sets the spending plans, the Comptroller is in oversight to let the legislature know if the state is getting the best utilization of the taxpayer's dollars. Taxpayers know government needs funding, but not corporate bottom lines.

Campaign Website: http://www.good governance.today



COMPTROLLER OF PUBLIC ACCOUNTS

(continued)



» Glenn Hegar (R)

Qualifications: I have served as Texas Comptroller since January 2015. I began as a member of the

Texas House in 2003 and continued my service as a member of the Texas Senate until my election as Comptroller. Working our family farm taught me hard work and integrity

Rainy Day Fund: Texas is blessed to have a strong Rainy Day Fund, which is designed and should be used to smooth out the state's revenues during an economic downturn, to assist in a disaster, and for one-time expenses that are strategic for Texas' economic health and well-being. I fought to manage these dollars more effectively to guard against inflation and protect them for generations.

Taxes: Funding public schools in Texas has been a shared burden split between state funds and local property taxes. Until recently the local share was allowed to grow unchecked creating increased pressure on local property taxes. I helped compress local property tax rates and rebalance the burden between state funds and local taxpayers. But now more must be done to lower taxes.

Financial Obligations: Since practically my first day in office I have sought to shine a light on the state's balance sheet and the need to address our long-term obligations. I fought to address threats to our state's fiscal health and ensure Texas teachers can access quality healthcare. I helped lawmakers pass historic pension reform to put our state on firm footing and avoid credit downgrades.

Priorities: I will continue to focus on the core constitutional duties of my office and that means maintaining my attention on the Texas economy. Navigating the last 2 years has been incredibly challenging, but I have always remained focused on the trends, challenges and opportunities in our state economy. We must fight to keep Texas a place where freedom creates new opportunities.

Campaign Website: http://glennhegar.com



COMMISSIONER OF GENERAL LAND OFFICE

Four-year term. As head of the General Land Office, the commissioner manages state lands, including oil and gas properties (which supply funds to the Permanent School Fund) and the Alamo. The commissioner chairs the Veterans Land Board, which administers programs for Texas veterans, and is responsible for environmental protection of Texas' coast. Other state boards chaired include the School Land Board and the Coastal Coordination Advisory Committee. Current salary \$140,938

» QUESTIONS TO CANDIDATES

Qualifications: What training, experience and characteristics qualify you for this position?

Allocation of Federal Funds: When federal funds for natural disaster relief and mitigation are allocated, how would you ensure that communities with the highest needs are prioritized?

The Alamo: As the head of the agency that manages the Alamo, what story do you believe it should tell? Coastal Planning: What measures would you implement to restore and protect the coast, wetlands, and the built environment to minimize damage from major storms?

Priorities: As Land Commissioner, what would be your highest priorities for the next four years, and how do you intend to accomplish them?



» Jay Kleberg (D)

Qualifications: I grew up working on the King Ranch and have spent my whole career in conservation. I

served as the Associate Director of the Texas Parks and Wildlife Foundation, and now I own a landbased conservation business and work in environmental education.

Allocation of Federal Funds: I would use the GLO's discretion to administer federal funds to ensure that dense, urban areas are not penalized and that damage claims for lower income homeowners and renters are not ignored. I would also send teams into damaged communities to ensure the timely disbursement of FEMA funds and application for longer-term allocation of funds.

The Alamo: The Alamo is a symbol of Texan and Tejano pride and we should honor their contributions to the state. We should also consider the role of early Black Texans and slavery in Texas' history, as well as indigenous groups who inhabited the

site for centuries. As for the battle, the GLO should tell the comprehensive story and honor the facts of those historic events.

Coastal Planning: The GLO will incorporate climate change modeling into the Coastal Management Plan, which will increase the standard for all federal and state investment on the coast. These higher standards would be applied to the Coastal Resiliency Master Plan and the \$30 billion Coastal Spine. These standards would also maximize investments with GOMESA, NRDA, CEPRA and **HUD-CDBG** funds.

Priorities: My top priorities for the next four years are to adequately fund our Texas schools through the General Land Office's contribution to the Permanent School Fund, address the effects of climate change and diversify our state's energy portfolio to strengthen our grid, and to prepare for future natural disasters by fortifying our coast and other vulnerable areas of our state.

Campaign Website: http://jay4tx.com



COMMISSIONER OF GENERAL LAND OFFICE

(continued)



» Michael Lange (D)

Qualifications: See website. 40 years of small and large business, senior experience. GLO Budget is

\$3.4 Billion. 800 Staff. Managed large, diversified groups with intensive risk, investment and leadership skills. City Knowledge/Rural Wisdom. Skillset to serve.

Allocation of Federal Funds: Federal Funds Allocation should be prioritized by where people are suffering the most from the disaster. It is never a political decision. It is a human needs decision. Disaster Priorities are based on human needs. When people get hurt by disasters, they need immediate help to rebuild and more. The people who need it the most get it first. Prioritize according to need The Alamo: The Alamo is the Shrine of Texas Liberty and an essential part of the Spirit of Texas. The Alamo Defenders gave up their tomorrows so we could have Better Lives today. Most of the Alamo Defenders were Immigrants, like my fam-

ily. People forget that. The Alamo is the symbol of Texas, the world knows. To be preserved for future generations.

Coastal Planning: Our Coast is at constant risk. Each disaster can alter the shape of the land, sometimes dramatically. We need to reinforce/enhance the natural barriers that balance nature and the environment. The eco-system is critical and must be maintained. We need to prevent construction that reduces the effectiveness of these natural barriers and erodes the coast. Be prepared always!

Priorities: 1. The Safety of the People of Texas. 2. All People Treated with Equal Respect 3. Be a Man for Others. 4. Work constantly to Better the Lives of All Texans. Ensure Texas Veterans and Gold Star Families have the best state benefits in the nation, my plan TEXAS HAS YOUR SIX. Improve Reading levels in K-12. Currently 45th in the Nation. Unacceptable. Small Business Champion.

Campaign Website: http://LANGEFORLAND.com



» Sandragrace Martinez (D)

Qualifications: My expertise in trauma informed care, crisis management, my in-depth understand-

ing of the legislative process, and the desire for educating my community, is a passion that has equipped me with the necessary skills to perform these duties.

Allocation of Federal Funds: Establish meaningful partnerships with all local governments and develop comprehensive insights on potential strains in our communities, is how we can pro-actively begin to manage and prioritize effectively. Mitigating and allocating relief from a natural disaster will de-

pend on the areas hit, the socioeconomics in that region, and their resources.

The Alamo: When I visit other cities or a different country, and I tour their historical structures and monuments, my initial questions are always, 'how did it get here, who built it, and why?" In essence, the story of the Alamo can only begin at that point due to chronological logic, so by default the story will have to involve explanations on how that evolved.

Coastal Planning: Our Texas Ports alone, have an impact of nearly 1.8 million jobs and generate somewhere around \$102 billion in personal income, so the protection of our coastline is imperative for supporting the financial well-being of citizens, and

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COMMISSIONER OF GENERAL LAND OFFICE

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» Sandragrace Martinez (D) (continued)

projects along the Coastline must provide the required maintenance, development, and improvements to sustain those areas.

Priorities: Disaster readiness and prevention with fine tuning the logistics involved are paramount. Honoring our Veterans with the same level of devotion and allegiance that they made to this country, and applying that same devotion to their benefits and healthcare. I want to create more programs and initiatives to help provide funding for public education.

Campaign Website: http://www .sandragrace4texans.com/



» Jinny Suh (D)

Qualifications: Strong science background (B.S., M.S. biology), former teacher, licensed attorney, small

business owner, years as community organizer and advocate at Texas legislature, working mom of 2 young children, proven record of fighting for what's right.

Allocation of Federal Funds: State agencies should not play politics with the lives and livelihoods of Texans. Distribution of disaster relief funds should be managed with everyday Texans who need it the most treated as the priority. No Texan should be waiting for years with a tarp roof due to unfair biases, mismanagement, and inefficiency.

The Alamo: History should not be politicized or used by state leaders to score political points. The story the Alamo tells must be a full and honest history based on facts, evidence, and the standard academic understanding. That story includes the perspectives, contributions, and experiences of all individuals involved—Anglo, Tejano, Mexican, Black, and indigenous peoples.

Coastal Planning: There is a lot to be done with our infrastructure in the coastal areas, including better construction to protect and restore our coastline and wetlands in combination with a robust scientific program. I also want to work with other organizations, NGOs, and government agencies that specialize in coastal wetland management, such as NOAA and Project Drawdown.

Priorities: I aim to bring all stakeholders to the table to craft proactive solutions including incentivizing development of renewables, preparing our state for weather disasters, and increasing funding for public schools by maximizing revenue generated by state contracts and advocating for an increase in the amount directed to the Permanent School Fund.

Campaign Website: http://www .jinnysuhfortexas.com

» Benjamin Armenta (R)

No Response Received



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COMMISSIONER OF GENERAL LAND OFFICE

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» Victor Avila (R)

Qualifications: As a retired Immigration and Customs Enforcement and Homeland Security Investiga-

tions (ICE-HSI) Special Agent, I have the firsthand experience necessary to provide the battle-tested leadership Texas needs to secure the border.

Allocation of Federal Funds: Flood mitigation must be our first priority. For every dollar we spend mitigating flooding or other factors, we save several times that amount in relief, as well as avert the human costs of natural disasters. Furthermore, by lowering the risks associated with natural disasters, we can drive down outrageously high flood insurance in coastal Texas.

The Alamo: I am proud of my Mexican-American heritage. No matter what others may say, the Alamo is a symbol of Texan courage and fortitude. It reminds us there are causes greater than ourselves for which we should be willing to lay down our

lives. Recognition of the values that bind our nation together should be used to heal and unify, not to divide.

Coastal Planning: One of the most effective means to mitigate the damage caused by flooding is preserving coastal wetlands. Coastal wetlands also prevent coastal erosion and serve as a habitat to a variety of species. To that end, I plan to prioritize funding provided to the General Land Office through the Coastal Erosion Planning and Response Act (CEPRA) to preserve coastal wetlands. **Priorities:** We must secure the border by constructing the Texas wall. Construction of this wall is already underway, and the General Land Office is playing a key role as much of the wall is being built on public lands. After years of supervisory experience in the Department of Homeland Security, I have the knowledge and experience necessary to ensure Texas gets this project right.

Campaign Website: http://victoravilatx.com

» Dawn Buckingham (R)

Qualifications: Landowner experienced in land management & physician used to making major decisions. Senator & Sunset Commission member where I reviewed state agencies, fixed inefficiencies, cut waste, & improved outcomes for taxpayers. Ready to lead the GLO on dayl

Allocation of Federal Funds: I would immediately identify what communities were hit the hardest by a storm and also identify which communities have the most daunting path to recovery. We must ensure that these federal funds are going to communities that are directly impacted or are prone to be affected by the next storm on the horizon. Us-

ing the benefit of hindsight, we can plan before it's too late.

The Alamo: There will be no reimagining the Alamo under my watch. As a State Senator, I initiated the legal challenge that kept the Alamo Cenotaph in its rightful place, out in front, and passed the only piece of legislation protecting our historical monuments. The GLO is the tip of the spear in defending our rich Texas history we know and love, and I will always fight to protect it.

Coastal Planning: By protecting our wetlands and coast with land management practices such as proper sand dune rebuilding, we will be able to naturally minimize damage in our coastal communities. We must also work with the Federal Gov-

LWY

COMMISSIONER OF GENERAL LAND OFFICE

(continued)

» Dawn Buckingham (R) (continued)

ernment to ensure we build the Coastal Spine Barrier Project, known as the Ike Dike, to protect our Texans along the coast, oil & gas industry, and refineries.

Priorities: I'll secure our border by identifying available state lands on the border and begin building a border wall as soon as possible. I'll also continue to fight to preserve the Alamo as we know it for generations to come and keep our commitment to our Veterans and children by providing them with quality care and education through the Veterans Land Board & Permanent School Fund.

Campaign Website: http://www.dawn buckingham.com



» Rufus Lopez (R)

Qualifications: I have been an attorney for 57 years, practicing in real estate, oil & gas, right of ways, sur-

veys, and land development. I became Board Certified in both Residential Real Estate, and Farm & Ranch Real Estate, in addition to being a litigator. Allocation of Federal Funds: As Land Commissioner receipt and allocation of funds for natural disasters is very important, since they effect our tidelands, gulf coast, oil & gas industry. Where our state lands and resources are involved, the funds would be prioritized to the areas most affected, such as the gulf coast and wind damage industry and development off shore.

The Alamo: The Alamo is our single most treasure of Texas Independence and the story should continue to be told of the defense needed to allow Sam Houston the time needed to fight the ultimate battle. The story is one of bravery by all the defenders to stall the army of Santa Ana in the fight for Texas independence.

Coastal Planning: Build sea walls where needed; continuously maintain the coastline and help repair and restore the infrastructure of the communities. Increasing the energy development utilizing the new science and environmental safety mechanisms is the wave of the future, including the wind turbines.

Priorities: Promote and Protect the investments of the Permanent School Fund, through careful investments to increase the maximum returns. Promote the Oil & Gas drilling in the Texas owned lands by encouraging this development Promote greater benefits to the Texas Veterans by encouraging housing and land purchases Encourage the sale and development of state-owned lands. Promote Parks



» Weston Martinez (R)

Qualifications: visit www .westonfortexas.com for full details: Only person running who has

served as a Texas Statewide Commissioner for almost 7 years, Oil and Gas; Real Estate, Telecom

background that includes corporate infrastructure engineering-planning.

Allocation of Federal Funds: 1 I have a plan for a new process in to deploy where we put Texans 1st. 2. The process is broken, FEMA reports that 30-70 % of flooding zones are under or unreported...so you have no way to provide real relief, because



COMMISSIONER OF GENERAL LAND OFFICE

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» Weston Martinez (R) (continued)

you're not using real data to solve problems. This is why, using my engineering, water development, infrastructure, disaster recovery background is vital The Alamo: I am the only native of the Alamo city (San Antonio) running to serve & I know we should tell the heroic story of the 13 day battle of the Alamo at the Alamo. Day 1 *I will return the annual prayer service to the Alamo. *I will advise the united nations they are no longer welcome. *I will end burials taking place in the alamo grounds allowing remains to be comingled

Coastal Planning: This is another key area where my expertise professionally will allow me to serve and protect the people of Texas. 1: inventory current civic and stormwater drainage/mitigation plans, determine which flooded areas have been missed bye .FEMA's own omission, overlay that with current development plans to create a updated model 4 storm water run off and watersheds impact **Priorities**: We have an Alamo that is under siege, we have veterans nursing homes in Texas that suffered twice the death rate of the national average, we have a border that is unsecured, and we have school financing For both grade school and public universities that must be maintained but reigned in. We have veteran cemeteries that must be honored. visit www.westonfortexas.com

Campaign Website: http://www.westonfortexas .com



» Don W. Minton (R)

Qualifications: Don W. Minton, West Point graduate & former Texas Dist. Ct Judge is an investor/CLO of

a mineral extraction company. Minton was also a FINRA licensed Financial Principal. He is ready to steward on Day 1 all Texas Public Lands, including the Alamo.

Allocation of Federal Funds: The highest need communities are best prioritized when communications with federal, state, and local officials are clear, candid, and concise. Having worked in the executive branch of both federal and local governments, I have the expertise and motivation to remove barriers and cut red tape to ensure that those communities in the greatest need receive the highest priority The Alamo: The story of the Alamo is critical to our identity as Texans, and indeed what makes the Lone Star State unique. That story includes the story of the 200 souls who made the ultimate sacrifice in March

1836 on behalf of our new Republic, along with the countless other souls who walked those hallowed grounds in the years prior (and indeed after). Coastal Planning: The GLO has slated 123 individual projects to make the Texas Coast more resilient. With a \$4.3 billion pricetag, the GLO needs a good steward over these projects to provide taxpayers with a positive return on investment. The Commissioner must balance the competing needs of waterborne commerce; energy & chemical industries; commercial & recreational fishing; and tourism. Priorities: 1. Revamp the VLB to provide a mortgage route for Texas Veterans which is superior to a VA Loan. 2. Leverage critical minerals from Texas Public Lands, simultaneously increasing the Permanent School Fund while reducing our nation's vulnerability to its enemies. 3. Ensuring that every soul which has graced the grounds of the Alamo has his or her story told.

Campaign Website: http://www.minton4glo.com



COMMISSIONER OF GENERAL LAND OFFICE

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» Jon Spiers (R)

Qualifications: I am a heart surgeon, a former member of the US Army Reserve, and, after a hand in-

jury, retrained as an attorney. Each experience has enhanced my ability to lead and relate to the needs of Texans. Texas needs a leader with guts. I am that leader.

Allocation of Federal Funds: There are many metrics utilized to determine where best to allocate funds; each community and group will have their favorite. To best address specific needs, impacted regions will be subdivided into small areas of action and administration. To avoid the temptation to divert funds to other projects, performance markers will be tied to fund release and waste recouped.

The Alamo: The Alamo is famous for the 13 day

The Alamo: The Alamo is famous for the 13 day Battle of the Alamo. It is an enduring symbol of Texas grit and willingness to stand fast in the face of oppression. This is the story known around the

world, inspiring Liberty-loving people everywhere. This is the story that must always be central to the Alamo narrative.

Coastal Planning: We must recognize there is no perfect solution to the dangers posed by major storms. We must be decisive and proactive. Barrier projects, hardening of coastal industry, and coordinated drainage and flood control measures are all part of a comprehensive plan. A coordinated response will minimize damage and enhance recovery.

Priorities: We must restore the GLO's reputation with citizens and other state agencies. The GLO should adopt the role of a collaborative ally instead of a competitor. This would boost relations between the GLO and the public, restore faith and transparency in the operation of the Alamo, improve tarnished relations with Texas Veterans, and enhance Permanent School Fund performance.

Campaign Website: http://DrJonSpiers.com



» Tim Westley (R)

Qualifications: I am a former twotime nominee for U.S. Congressional District 15, PhD. in Educational

Leadership, U.S. Army Veteran, & Non-profit Community Leader. I have researched, provided solutions, & worked on or with all the major areas the position covers.

Allocation of Federal Funds: I would have liaisons ready to work with mayors before disasters strike to map areas that fit into U.S. Depart. of Housing & Urban Development's (HUD) basic requirements for fund disbursements. Next, I would recommend placing them on a mapping database so that as disasters happen, they are quickly identi-

fied by area. Finally, ensure funding procedures are known by all.

The Alamo: The Truth. As Historian of the Republican Party of Texas, the story of the Alamo has already been written and told. It does not require a rewrite or revision. Such history I have shared in the city of San Antonio and beyond. This historical story is one I've told publicly at the foot of the Cenotaph in the Alamo footprint on many occasions and will continue to tell.

Coastal Planning: I would be proactive by view current studies for protection and seeing what we can readily implement. I would also encourage investment in hurricane surge protection projects. Ultimately, I would ensure consistent talks with experts in the field such as engineers, geoscientist, and



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COMMISSIONER OF GENERAL LAND OFFICE

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» Tim Westley (R) (continued)

other partners to develop and implement mitigation plans at the earliest stage.

Priorities: Identify all public lands on our 1254 mile southern border and Partner with other organizations to secure it. Help advance oil, gas, & mining exploration through increased land lease opportunities so that Texas leads the way to energy independence while providing jobs for Texans. Ensure the \$43 billion Permanent School Fund is used properly to raise level of education.

Campaign Website: http://www.texans4tim.com

COMMISSIONER OF AGRICULTURE

Four-year term. The agriculture commissioner's principal job is promoting Texas agriculture. In that capacity, the commissioner facilitates trade and marketing of agricultural products; regulates weights and measures; regulates pesticide use; certifies organically produced products; administers the National School Lunch and School Breakfast programs; provides financial help to farmers; and helps solve issues related to natural disasters. Current salary \$140,938

» QUESTIONS TO CANDIDATES

Qualifications: What training, experience and characteristics qualify you for this position?

Immigration: Immigrants have been a vital part of the agricultural industry in Texas. How would you balance the needs of Texas agriculture with federal immigration policy?

Water Resources: As water resources become more scarce, how do we balance the needs of farmers and the growing demands of urban areas?

Opportunities: In your opinion, what are the opportunities for the growth of agriculture in Texas? What can we do now to ensure that Texas can capitalize on these future opportunities?

Priorities: What are the three most challenging issues for Texas farmers for the next four years, and what are your plans for dealing with number one on your list?



» Susan Hays (D)

Qualifications: As an attorney raised in and around agriculture with decades of Texas government experience, I am adept at analyzing then solving problems. With my servant's heart, I will be dedicated to public service, helping farmers, and improving food quality.

Immigration: Federal immigration policy is bro-

COMMISSIONER OF AGRICULTURE

(continued)

» Susan Hays (D) (continued)

ken and needs to be torn down to the studs. We need to be honest about that fact that Texas agriculture needs the labor. As commissioner, I will advocate to transform to a policy driven by our economic needs and implemented with humanitarian principles and compassion—just like we learned in Sunday School. Water Resources: The Republicans have failed to even try to solve this problem. The Department of Agriculture (TDA) can research & promote sustainable practices and less-thirsty crops, but must work across agencies such as the Land Office, the Water Development Board, local water districts & others, and with the Legislature for a comprehensive plan to protect water quality and supply.

Opportunities: Texas ag can flourish by growing

more fruits, vegetables & high-value crops. California produces more than 80% of U.S. fruits and vegetables—too many eggs in one basket. We need to diversify & support small & medium size operators. Cannabis should be legalized & regulated to protect public health & safety giving Texans an opportunity to share in the economic opportunity.

Priorities: Economic survival, rural health care & climate change—and they are intertwined. I will look for opportunities, analyze the data, advocate to the USDA to change counter-productive policies, and help producers find a path to prosperity & environmental sustainability. Failing rural hospitals are an existential threat to rural communities and must be saved.

Campaign Website: http://www.hays4ag.com



» Ed Ireson (D)

Qualifications: I'm a businessman, new father, and proud Texan. My family has been running cattle in

Brazos County for 130 years and I've worked with Texas ranchers to help sell their beef direct to consumers across the state.

Immigration: If ranchers and farmers can't hire enough workers to meet market demands, we all suffer. I'll advocate for an immediate expansion of the H-2A visa program, so that we can alleviate labor shortages to help counteract the supply chain constraints faced by all Texans.

Water Resources: Texan farmers and Texan city-dwellers are deeply interconnected. The food, wood, raw materials, and water that comes from our rural environments are critical to the urban lifestyle. As Ag Commissioner, I'll support programs that work with farmers to promote efficiency

around their water use, including crop rotations and rotational grazing for livestock.

Opportunities: The Texas Dept of Agriculture oversees rural infrastructure grants and the development of rural internet services. We need roads, bridges, waterways, and internet connectivity in order to have a strong future for our agricultural sector. We must invest wisely so that the State of Texas provides infrastructure for all Texans, but especially ranchers and farmers.

Priorities: 1) Infrastructure 2) Supporting the next generation of farmers and ranchers 3) Access to financial and grant opportunities for rural Texans Our infrastructure is both expensive and slow — livestock trailers stuck in traffic jams because of failing roads and bridges, and slow or no internet in the homes of our young Texans limiting their educational opportunities.

Campaign Website: http://edfortexas.com



COMMISSIONER OF AGRICULTURE

(continued)



» Carey A. Counsil (R)

Qualifications: 30 year Business owner and real estate investor and developer. 20 year Professor of Eco-

nomics and Business at Texas Junior College Lifelong 5th generation Farmer/Rancher owning and operating Cattle/Hay operation.

Immigration: * Tighten immigration * Stream line process for legalization and work visas * Migration based on merit

Water Resources: * Water desalinization in plants along the Texas coast Until then, water resources, when in high demand, must be limited in urban areas. No water for agriculture means no food for Texans and the United States.

Opportunities: Several grocery store support "buy local" campaigns. As more Texas retailers convert to "buy local" the more consumers will be aware of where their food comes from.

Priorities: 1. Disparity between consumers and producers. Solution: The disparity is with the top 4 in the packing industry. Texas must create a farmer co-op packing house. With the help of the Beef Check Off Program, a co-op could be established. 2. Water Rights 3. The border crisis that is directly affecting south Texas rancher/producers and indirectly all Texas rancher/producers

Campaign Website: https://counsilacrosstexas .com

» Sid Miller (R)

Qualifications: Current 2 term commissioner, 8 generation farmer, BS in Agriculture, former Ag teacher, still make my living farming and ranching, former House Chairman of Agriculture and Livestock committee. I currently raise livestock and grow several crops.

Immigration: We need immigration reform, a new and workable guest worker program.

Water Resources: We use technology improvements, de-sal plants, rainwater harvesting, and recycling of our water.

Opportunities: I will continue the expansion of my global outreach initiative, on every continent. Texas was the only state where experts went up during the trade war with China. I have an office in Argentina, with plans to open one in China. **Priorities:** government over regulation, trade wars, and Mother Nature. I will continue to search for new agriculture markets and fight back against over regulation.

Campaign Website: http://Millerfortexas.com



» James White (R)

Qualifications: Tx Agriculture Code 11.005 outlines the requirements. As a six-generation Texan,

who is a small beef cattle producer and six-term

legislator, I satisfy paragraphs 1-3: https://statutes .capitol.texas.gov/Docs/AG/htm/AG.11.htm#11.005 **Immigration**: Following current law, I will facilitate the existing agricultural visa program, H-2A, which Congress passed in 1986. H-2A visas discourage foreign worker exploitation, protect wage-

OCA-APPX-1655

COMMISSIONER OF AGRICULTURE

(continued)

» James White (R) (continued)

earning power of US workers, and is consistent with maintaining homeland security. https://www .uscis.gov/working-in-the-united-states/temporary -workers/h-2a-temporary-agricultural-workers Water Resources: We must balance science and technology, championing property rights, and collaboration. We must continue laying the groundwork for desalinization expansion and brackish water use. Many agricultural producers own senior water rights. We must allow thoughtful discretion to maximize their farm income. More intrastate and interstate collaboration on conservation and flows.

Opportunities: Maintaining a favorable regulatory environment which continues to attract agricultural operations from states that have hostile business environments for animal production related agriculture; facilitating enhancements to our ports, roads, bridges, and oil/gas energy infrastructure; persuading the Texas Legislature to open new market opportunities (i.e., hemp/cannabis) **Priorities:** Securing South Tx farms/ranchers from narco-transnational gangs (constructing barriers & funding law enforcement); meeting water needs (see above); avg age of producers is 59 yrs old (facilitate more youth and veterans to become producers); burdensome regulations (decrease state regulatory footprint & pushback against federal regulations); infrastructure (See above)

Campaign Website: http://JamesWhiteForTexas .com



OCA-APPX-1656

RAILROAD **COMMISSIONER**

Six-year term. The Railroad Commissioner is one of the three-member Texas Railroad Commission. The commission regulates the oil and gas industry, gas utilities, pipeline safety, safety in the liquified petroleum gas industry and surface coal and uranium mining. It has no regulatory authority concerning railroads. Current salary: \$140,937

» QUESTIONS TO CANDIDATES

Qualifications: What training, experience and background qualify you for this position?

Ethics: Since candidates for Railroad Commission often raise money from the oil and gas industry, how can citizens be assured that campaign donations will not influence how commissioners regulate that industry?

Emissions: How important is the impact of methane emissions on climate change? What are effective ways to reduce methane emissions in the oil and gas industry?

Natural Gas Facility Weatherization: What further changes, if any, are needed to ensure that Texas has sufficient power in times of extreme weather conditions?

Seismic Activity: What are the most important measures the Railroad Commission can implement to reduce the risk of seismic activity or earthquakes caused by water disposal from oil and gas drilling?

» Luke Warford (D)

Unopposed



» Wayne Christian (R)

Qualifications: Candidate's response did not meet the criteria as listed in this Voters Guide.

Ethics: Campaigns cost money to run, so all candidates for all offices must raise money. The standards for RRC are no different than any other office. My job is to represent the people of Texas and ensure they have access to cheap, plentiful, reliable energy. Contributions have not and will not impact my dedication to doing what is right for the people of Texas.

Emissions: A clean environment & a thriving oil & gas industry are not mutually exclusive. Since 1970, the six major pollutants regulated by the EPA have decreased 77% while our economy has grown 285%, population has grown 60%, & energy consumption has grown 48%. We've reduced flaring/methane from 2.38% in Jan. 2019 to 0.21% in Sept. 2021 under my leadership w/out overregulation.

Natural Gas Facility Weatherization: The RRC recently designated natural gas facilities as critical during energy emergencies and put in place weatherization requirements to ensure our oil and gas assets are prepared for emergencies. We must also ensure we are prioritizing energy generation from reliable sources through eliminating subsidies and preferential treatment for less reliable forms of energy.

Seismic Activity: The Railroad Commission



RAILROAD COMMISSIONER (continued)

» Wayne Christian (R) (continued)

takes seismic activity very seriously and has a seismologist on staff to advise the agency to ensure our regulatory actions are based on sound-science. In response to recent earthquakes in West Texas, the

RRC ordered the indefinite suspension of all deep oil and gas produced water injection in the Gardendale Seismic Response Area.

Campaign Website: http://ChristianForTexas .com



» Tom Slocum Jr. (R)

Qualifications: I have over 15 years experience working in upstream oil and gas in Texas, Loui-

siana, & offshore in the Gulf. I have plugged over 1,000 wells. I have operated two small oil and gas companies in Texas & I am a Texas-educated Aggie, 4th gen Oil & Gas

Ethics: I have not taken any campaign donations from oil and gas, but I also do not have any conflicts of interests. I do not own minerals or royalties, or working interests in wells. I will not allow cronyism to grow in Texas at the RRC and I will not take donations in return for favors down the line! **Emissions**: Eliminating methane emissions from flared gas and vented gas can be done without implementing further regulations. By repealing the flared gas tax we can eliminate almost ALL of the flared gas in the state! Free market solutions to eliminate flared gas and secure our grid with more

electricity is what we will bring if I am elected. Smart regulations benefit all Texans.

Natural Gas Facility Weatherization: Texas must audit our Nat Gas power generation critical points and listen to experts hired by the RRC, who are from INSIDE the industry. There are Texans who can help us achieve energy freedom and keep us away from another February disaster. Leadership in Austin must listen and have a PLAN in PLACE. Our base-load power must be secured. We can't allow another black out!

Seismic Activity: We must monitor all seismic activity in the Permian Basin closer, & especially monitor damage to taxpayer infrastructure. If damage is being done that will cost property owners and taxpayers money, then we must re-evaluate the system of disposing SWD fluid & make necessary changes to protect the production of oil and gas as well as our property & infrastructure from harm.

Campaign Website: http://Slocumfortexas.com



» Sarah Stogner (R)

Qualifications: I am an attorney who has dedicated the past 13 years of my life to helping various stake-

holders in the oil and gas industry with no desire to be a politician. I will end the crony capitalism preventing meaningful change to tackle the real problems.

Ethics: I'm not accepting donations because our

current regulators are bought by the industry they are charged with regulating. Plain and simple - the current regulators have enriched themselves and their friends at the expense of Texans. We're having earthquakes and losing our freshwater aquifers. Texas must handle or the federal government will intervene. End crony capitalism!

Emissions: We should not be venting or flaring methane. It's a vital energy source that should be put to beneficial purposes. We should incentivize

RAILROAD COMMISSIONER | (continued)

» Sarah Stogner (R) (continued)

leak prevention. We should incentivize alternative uses (such as cryptocurrency mining). And we have to hold bad actors accountable. Climate change will be the least of our concerns if we don't fix our groundwater and seismic issues.

Natural Gas Facility Weatherization: Natural gas facilities are vital to maintaining the integrity of the Texas grid. We need to consult with experts on how to properly winterize facilities and ensure we do not have a repeat winter where Texans die. But we cannot foist this expense on the taxpayers either.

Operators should not be able to opt out of vital winterization of natural gas facilities.

Seismic Activity: Seismic activity is a real issue. We need to look at the big picture of what is happening geologically. We are extracting & injecting into different zones millions of barrels of water per day in the Permian Basin alone. We should not be using fresh water for drilling or completing wells. We need to incentivize innovation to tackle this complicated issue.

Campaign Website: http://www.sarah4RRC.com



» Marvin 'Sarge' Summers (R)

Qualifications: 21 years of leadership training in the United States Army and 30 years in oil and gas.

Ethics: I can't speak for the other commissioners or the candidates that oppose me in this race. I can not be bought.

Emissions: It is very important. We must capture these emissions and mitigate these gasses.

Natural Gas Facility Weatherization: What

happened this past February with ERCOT must never happen again. Every effort and precaution must be employed to make sure our facilities remain operable and ready to serve the citizens of this great dtste.

Seismic Activity: Great question especially in view of recent earthquakes measuring better that 3.0 in the Gardendale area North and West of Midland, TX. We must limit the depth of SWD's. Lower permitted injection rates. Lower the injection pressure. Daily recording of injection volumes and pressures.



» Dawayne Tipton (R)

Qualifications: I have over 18 years of experience in the oil and gas industry from a rig hand to subject

matter expert. I assessed and mitigated risk of oil and gas operations and facilities. I want to put that experience to work for Texas families.

Ethics: I've had to work hard for everything I have. My ideals and dedication cannot be bought or sold. I don't have aspirations for higher office and I don't have vested business interests to profit off of. I'm just a regular guy that has a set of skills to fit well

in this role and give Texans the expertise they need to utilize resources and protect jobs for the middle class.

Emissions: In my work experience, I've worked in ways to be the most efficient and resourceful. I would reduce methane emissions by putting it into production instead of being released. If that's not an option, then there are ways to reduce emissions further (like vapor recovery units and ECBs). For me, the real goal is to eliminate waste, which is also good for the environment.

Natural Gas Facility Weatherization: First, remove natural gas producers' abilities to exempt



RAILROAD COMMISSIONER | (continued)

» Dawayne Tipton (R) (continued)

themselves as noncritical. Second, we need to understand the critical path for power generation with regard to our natural gas grid. Once there is a clear consensus on the most critical infrastructure from exploration to power generation, we put forth a winter storm plan that goes into action when storms are forecast

Seismic Activity: First, reduce the barrels of salt water injection allowed from 10,000 barrels a day to 7,000 a day. Then, as the data comes in on seismic activity, you take the data and further reduce the amount allowed until seismic activity levels off and you heavily enforce the mandated levels that work.

Campaign Website: http://www.tiptonfortexas .com



Judges make decisions about fundamental issues that affect all of us . . . family life, education, health care, housing, employment, finances, discrimination, civil rights, public safety, and government actions. It is critical that our judges make fair decisions based upon open-minded and unbiased consideration of the facts and the law in each case. Judges must know the law and not be influenced by any external political and economic factors.

How is the Texas court system organized?

The Texas court system is made up of a statewide network of trial courts and appellate courts. In trial courts, judges and/or juries evaluate the facts and the law and make a decision in a civil or criminal legal dispute. When decisions in most trial courts are appealed, they are sent to an appellate court where judges consider what happened at the trial court, evaluate legal arguments, and then decide if a mistake was made.

OCA-APPX-1660

See https://www.txcourts.gov/media/about-texas-courts/ for more information.



JUSTICE, TEXAS SUPREME COURT

Six-year term. A justice is one of the nine-member Supreme Court, which issues final decisions on civil and juvenile appeals, issues certain orders to governmental officials to act and to individuals to appear before the court, and has jurisdiction over orders or judgements of trial courts, if the Supreme Court determines them important to the jurisprudence of the state. Current median salary: \$201,600

» QUESTIONS TO CANDIDATES

Unopposed

Qualifications: What training, experience, and background qualify you for this position?

Standards: A recent Constitutional Amendment passed by Texas voters requires that candidates for this Court be licensed in Texas for at least 10 years and have no suspensions or revocations of their license in that time. What are the positive and negative impacts of this change?

Equity: What can be done to improve access to justice for all, including persons or groups who may be underserved?

Ethics: Since judicial candidates solicit donations and raise money to be elected, how can voters be assured that campaign donations will not impact how judges interpret the law and review lower court decisions?

Other Issues: What issues do you believe will be the most pressing for the Texas Supreme Court?

PLACE 3
Erin A. Nowell (D)
nopposed
Debra Lehrmann (R)
nopposed
PLACE 5
Amanda Reichek (D)
nopposed
Rebeca Huddle (R)



JUSTICE, TEXAS SUPREME COURT

(continued)

» PLACE 9

» Julia Maldonado (D)

Unopposed



» David J. Schenck (R)

Qualifications: I've served as a justice on the state's largest intermediate court. I clerked for the Chief

Judge of the 5th Circuit, led a major appellate practice at Jones Day, am broad certified in civil appellate law, and chair the commission on judicial conduct

Standards: The positive is that the candidate at least have some demonstrable minimal competence and lack of actual record of corruption. It does not, however, require any judicial service experience or address the more critical problems with the initial selection and appointment, which is the manner by which the vast majority of appellate judges initially come to the bench.

Equity: I believe that any system of gov't that targets groups for disparate treatment — whether for malign or benign motives — implicates the equal protection clause. All Texas citizens are entitled to equal access to the courts, and I'm proud to have received the Texas Bar's highest award for promoting access to pro bono legal services to those who cannot afford it.

Ethics: At present, voters are not assured of this and the appearance that donations affect rulings has been demonstrated repeatedly without any meaningful effort at reform—making this issue most critical. I have publicly called for reforms to assure Texans the right to a constitutional, impartial process and have shown by my record that I will not yield or accept anything less.

Other Issues: Until the foregoing is resolved, there is very little of significance that the Court can achieve. Judicial decisions are followed only because — and to the extent — the public accepts that they are based on reason and principle. They've lacked that confidence for over a decade. Separately, the Supreme Court must show that the judiciary is independent of other branches.

Campaign Website: http://www.schenckfortexas .com



» Evan Young (R)

Qualifications: Texas Supreme Court Justice; law clerk, Justice Antonin Scalia: Counsel to U.S. Attor-

ney General; U.S. Government rule of law mission in Iraq; many arguments at U.S. & Texas Supreme

Courts and other courts; UT law professor; Texas Judicial Council.

Standards: Almost all positive. The Amendment ensures that candidates meet basic minimum standards, and Texas deserves a high-quality judiciary. The only "negative" is that we must be cautious when restricting voters' options. But here, the peo-



JUSTICE, TEXAS **SUPREME COURT**

(continued)

» Evan Young (R) (continued)

ple themselves prioritized minimum judicial qualifications by ratifying this limitation within our Constitution.

Equity: Ensuring open courts is fundamental to public confidence in our judiciary and to protecting individual rights. The Access to Justice Commission, Texas Legislature, and Texas Supreme Court have made great progress in marshaling public and private support for expanded representation of underprivileged Texans and making judicial proceedings more efficient and comprehensible.

Ethics: That risk diminishes when judges have a sound, stable method of judicial decision-making, like Justice Scalia's. Their analysis can be tested,

in case after case, for rigor and consistency. Judges must hold themselves and each other accountable, too. I make the same promise to those who support me and those who don't: I will follow the law wherever it goes in every case.

Other Issues: Among the most pressing work for the Supreme Court will be ensuring, even in times of crisis, and without fear or favor, that the limitations of the U.S. and Texas Constitutions are respected—the lines between different branches of government, between the state and local governments, and between government power and individual liberty.

Campaign Website: http://JusticeEvanYoung .com



JUDGE, **TEXAS COURT OF CRIMINAL APPEALS**

Six-year term. A member of the ninemember court which has final judgement in all criminal cases. The court must review all cases in which the death penalty is assessed. It also exercises discretionary review in other criminal cases and issues orders to governmental officials to act and individuals to appear before the court. Current median salary: \$193,200

» QUESTIONS TO CANDIDATES

Qualifications: What training, experience, and background qualify you for this position?

Philosophy: What is your judicial philosophy?

Standards: A recent Constitutional Amendment passed by Texas voters requires that candidates for this Court be licensed in Texas for at least 10 years and have no suspensions or revocations of their license in that time. What are the positive and negative impacts of this change?

Equity: What can be done to improve access to justice for all, including persons or groups who may be underserved?

Ethics: Since judicial candidates solicit donations and raise money to be elected, how can voters be assured that campaign donations will not impact how judges interpret the law and review lower court decisions?

» PLACE 2

» Mary Lou Keel (R)

Unopposed

» PLACE 5

» Dana Huffman (D)

Unopposed



» Clint Morgan (R)

Qualifications: In nine years as an appellate prosecutor I have written nearly 400 appellate briefs and pre-

sented 39 oral arguments. Before that I worked at

the Court of Criminal Appeals as a clerk and staff attorney. I am board certified in criminal appellate law.

Philosophy: I am an originalist. I believe constitutions and statutes should be interpreted by giving words the meaning they had at the time of adop-

JUDGE, TEXAS COURT OF CRIMINAL APPEALS

(continued)

» Clint Morgan (R) (continued)

tion. This approach ensures it's the legislature and voters-not judges-who make the law.

Standards: The changes from this amendment regarding the Court of Criminal Appeals are small. The constitution already required ten years of legal practice. The most notable change is that a lawyer must be ten years removed from any license suspension, but I've never seen anyone run for this court after having his or her license suspended. This change will probably have no impact.

Equity: The criminal justice system provides justice by protecting victims, punishing the guilty, and allowing people to live in safety. We must punish

those who prey on the underserved as harshly as we punish other criminals. Everyone should have the opportunity to live in safety. As a judge, I will treat all who appear before me equally and fairly.

Ethics: The only way to elect an honest judiciary is for voters to learn about the candidates and elect men and women with integrity. Every system of judicial selection is vulnerable to corrupt behavior, and judges can be corrupted by forces outside the selection process. One advantage of an elected judiciary is that voters can remove judges who seem corrupt.

Campaign Website: http://www.clintforjudge .com

» Scott Walker (R)

No Response Received

- » PLACE 6
- » Robert Johnson (D)

Unopposed

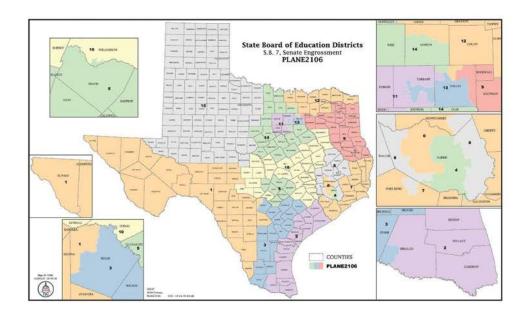
» Jesse F. McClure, III (R)

Unopposed



STATE BOARD OF EDUCATION

Four-year term. The fifteen-member board decides curriculum, standards, student testing, special education programs, and textbooks for Texas public schools. It also oversees the Permanent School Fund. Members of the board are not paid, but receive reimbursement for expenses incurred in the course of official business.



» QUESTIONS TO CANDIDATES

Qualifications: What training, experience and background qualify you for this position?

Charter Schools: What is the impact of new independent charter school networks on the funding for local public schools? And is there anything you would do to change that impact?

Inclusive Education: As the developer of Texas public school curriculum, how would you ensure a comprehensive history education that addresses the needs of all students?

Recovery: What can the State Board of Education do to assist local school districts to develop programs so that students who fell behind from the pandemic can recover?

Other Issues: What other issues do you believe will be the most pressing for the State Board of Education?

» DISTRICT 1



» Laura Marquez (D)

Qualifications: I have an MSW and previous experience (7 years) working in public education as a

para-educator providing special education and re-

lated services to students with disabilities. I currently work in prevention and intervention in early childhood.

Charter Schools: Different funding mechanism and accountability standards for charter schools and districts have effectively created two separate

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» Laura Marquez (D) (continued)

and unequal education systems. To change this, I would deny approvals for any charter applications that have a history of being bad financial practices, and work with legislative colleagues to ensure greater accountability and transparency.

Inclusive Education: I would immediately work with legislative colleagues to repeal harmful anti-CRT legislation while ensuring current polices are not applied more broadly than allowed. I would also partner with education stakeholders to navigate within the scope of current public policy to find alternative mechanisms for supporting inclusive education.

Recovery: In this respect, I would use my background in grassroots networking and commu-

nity non-profit work to partner with school districts to find ways to develop or utilize existing programs that address student needs in a holistic manner. Especially as students continue to navigate through the trauma and uncertainty of an ongoing pandemic.

Other Issues: We are at a moment in time where education is being positioned at the forefront of partisan politics. Sadly, this has placed every issue faced by the SBOE on tenuous ground. Now, more than ever we must remain balanced and responsible to support schools, students, educators, and the collective interest of the community to ensure an equitable and just education system.

Campaign Website: http://www .laurafortxeducation.com

» Melissa N. Ortega (D)

No Response Received



» Omar Yanar (D)

Qualifications: Within my career I have served as a teacher, curriculum designer, administrator and su-

perintendent. I have a M.Ed. from Stanford and a Master in Public Policy from Harvard. I have found innovative approaches that put students and family first.

Charter Schools: It's easy to say that all dollars should go toward local public schools; however some charters are great choices for families. They receive less funding than local districts and with only 6.8% of students in Texas attending charters, the funding impact is minimal. It is important to provide families choice and options while also being judicious about charter approval.

Inclusive Education: As a former social studies teacher, I believe the TEKS as they are currently written allows for a multi-perspective comprehensive view of history. However, I would be open to a deeper dive conversation around that to see what specific historical events we may need to unpack more delicately as a multi-perspective view of history is key to inclusiveness with students.

Recovery: Our middle schools focus on highly underserved students, who are several grade levels behind and accelerate their academic growth by 2-3 years in one school year. We are ranked a top academic growth public school in Texas and these strategies can work across the state. Flexibility of schedule, innovative in-school MTSS and small learning communities are just a few.

Other Issues: The state board should do a deep



» Omar Yanar (D) (continued)

examination into school culture and mental health. Student performance and attendance are affected when a student is happy, safe and feels their needs are addressed. With bullying and violent incidents

on the rise, it's imperative to look at the root cause and design cultures that support student success as well as teacher/staff wellness.

Campaign Website: http://OmarYanar4Texas .com

» Lani Popp (R)

No Response Received

» Michael 'Travis' Stevens (R)

experience at the High School level and have taught at the Adult Education level. I also have a Masters in Education/Teacher Leadership and a Doctorate in Education/Curriculum and Instruction. Charter Schools: New independent charter school networks have created a significant financial impact on local public schools, as these campuses have drawn away a considerable number of students from their local ISD's. To negate the financial loss to ISD's, the SBOE needs to reexamine how an ISD's Average Daily Attendance rate is connected to funding. Inclusive Education: Any curriculum that I would vote in favor of, would have to be based entirely on historical fact. Curriculum presented as comprehensive history, would need to be supported by factual evidence from verified sources. All cur-

riculum that students would be required to master,

Qualifications: I have over a decade of teaching

would need to be free of bias, opinions of the author, and political agendas.

Recovery: The SBOE needs to provide common sense programs that measure a students ability to master grade level content and not serve as a box to be checked off by an ISD for completion. Programs similar to Credit Retrieval could temporarily be set up to help students across all grade levels, attain and demonstrate the needed skills to pass to the next grade.

Other Issues: Standardized testing and school choice are pressing issues for the SBOE. Some students suffer from testing anxiety and the SBOE needs to discuss alternative methods to assess these students. Parents also should decide what school is best for their child, and the SBOE needs to find a way to give parents a voice, without taking away a local ISD's funding.

Campaign Website: http://Votedrstevens.com



STATE BOARD OF EDUCATION

(continued)

» DISTRICT 2

» Pete Garcia (D)

No Response Received



» Thomas Garcia (D)

Qualifications: At age 19, I founded a college access summer program for PSJA ISD. Then, I

taught it as a PSJA ISD high school course. Now, it is a nonprofit that teaches high schoolers across districts. I have 7 years of classroom experience, elementary to college.

Charter Schools: Charter schools draw students away from local public schools, resulting in stranded costs. When a charter draws students away, the public school may not be in a position to decrease staff or reduce facility costs simply because it now has fewer students. The public school must make do with less per-pupil revenue. I support increasing the Compensatory Education allotment. Inclusive Education: I believe in facts. I would reject textbooks and instructional materials with subjective interpretations of history. I am against Texas SB3, which removes requirements to study specific works by minorities and women. I support expanding ethnic studies - and making these courses count as social studies credits - to ensure students can get a comprehensive history education. **Recovery:** Ensure teachers are (1) paid for all recovery programs (2) granted fewer admin duties and more teaching time (3) recognized for recovery service on evaluations. Coordinate state-wide surveys and data input on necessary programs. Invest in after-school and summer programs targeting learning gaps. Create professional development opportunities focused specifically on recovery Other Issues: Mental health, teacher burnout, recovery. Reduce the administrative workload of teachers and counselors. Hire mental health counselors. Grant teachers more autonomy, control over conference period. Ensure recovery programs, initiatives pay teachers and do not present undue burdens on teaching. Direct education accountability standards away from high-stakes tests.

Campaign Website: http://www.garciaforsboe .com

» Victor Perez (D)

No Response Received

» Wayne Raasch (D)

No Response Received





» Michael Vargas (D)

Qualifications: After graduating from Brown University, I began my career in St. Louis, Missouri as a

Teach For America Corps Member serving underprivileged students. I returned home to serve our very own, as school board president and various state-wide positions.

Charter Schools: It is difficult to assess impacts on funding for local public schools without taking into consideration the full multi-faceted funding mechanism in the state. My priority as a member of the SBOE is to ensure that there is a leveled playing field and that we are making decisions that are fair and equitable for every school system and student across the state of Texas.

Inclusive Education: SBOE should not sanitize versions of our history. It's deeply misleading to downplay historical conflicts or scars around ideology, race, class, gender, and immigration because all are central to our state and nation's rich histories. I will ensure that curriculum standards are curated from the bottom up, prioritizing the voices of parents and students in District Two.

Recovery: Some school districts are already altering programming by offering instruction during breaks and inviting targeted students to "Rebound Academies" focusing on those with larger achievement gaps, and SBOE should replicate this programming across the state. I will also listen to educators across District Two with an open mind on innovative ways to further remedy this issue. Other Issues: We are experiencing an exodus of professionals leaving education due to stress and workloads, exacerbated by the pandemic. I've heard personal stories on the toll it takes on educators'

mental health across many districts. I will fight for

expansion of mental health resources and ensure

that we continue to cultivate the love of teaching

and mental health of every educator.

Campaign Website: http://www.vargas4texas .com



» Hilda Garza DeShazo (R)

Qualifications: 33 years as a public school teacher, academic coach and administrator McAllen ISD

Board of Trustees Hidalgo County Head Start Program Policy Council TASB Legislative Committee TEA School Improvement Initiative Texas Retired Teacher Association

Charter Schools: The impact can be determined by how public and charter schools are funded, by the number of students enrolled and by the data supporting student achievement. Thus any change to the impact requires careful study and analysis. The most important issue is that of student achievement. Inclusive Education: The demands of an increasing diverse student body will require a curriculum that includes a richer and truthful history of

America and Texas. A curriculum that reflects the contributions of key historical leaders with materials and resources available to educators to make history more inclusive is needed.

Recovery: 1. Identify disconnected students/ reconnect them to school communities; provide support and intervention needed to recover lost grade level ground 2. Expand instrumental time 3. Support access to remote learning technology for students and family 4. Attend to the physical, social and mental health needs of students 5.Assess student progress/use data to advance learning Other Issues: Setting curriculum standards Reviewing and adoption of instructional materials Educator Certification

Campaign Website: http://HildaGarzaDeShazo .com

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» LJ Francis (R)

Qualifications: My background as a naturalized citizen has given me a unique perspective to see

how important it is to have a strong basic education. As a Licensed Professional Engineer, I am uniquely qualified in solving problems using strategic collaborations.

Charter Schools: Charter school networks are eligible to receive a share of the available state funds for student enrollment. Local public schools receive both state and local tax revenue funds. Charters schools do not have a negative impact on the available funding for local public schools and in general, state aid decreases for a district if its need decreases or its tax base expands.

Inclusive Education: Curriculum development for schoolchildren should be undertaken to facilitate the general diffusion of knowledge. This means that a comprehensive history education should include classical history which enables students to reach beyond partisan differences by drawing on the shared roots of our civilization. We must promote the content of the history and meaning of the work.

Recovery: COVID-19 has presented unprecedented challenges for schoolchildren, parents and educators alike. House Bill 4545 established new requirements for accelerated instruction for students. Now more than ever the State Board of Education need to listen to educators and work with parents to meet students unique educational needs. The Board should pursue grants to help districts.

Other Issues: Texas has one of the nation's largest and fastest-growing public school enrollment counts-approximately 5.5 million. The cost of educating such a large population is tremendous and the Board will need to make important fiscal decisions in relation to the new Permanent School Fund Corp (SB 1232). Other issues include; Federal Mandates and books with obscene content.

Campaign Website: http://www.facebook.com /LjFrancisforTexas

» DISTRICT 3

» Marisa B. Perez-Diaz (D)

Unopposed

» Lana Jean Holland (R)

No Response Received



» Ken Morrow (R)

Qualifications: I am a father of 4 children who began their education at Grace Christian Academy

and then transferred to Gonzales ISD. My two oldest children graduated and went on to college, another graduates in 2022 and my youngest graduates in 2027.

Charter Schools: In general, I'm in favor of par-



» Ken Morrow (R) (continued)

ent's choice in their children's education. We have chosen a mixture of private and public school for our children.

Inclusive Education: I believe that Texas public school children should be taught American History, World History, Texas History and most importantly The Constitution of the United States of American. Recovery: The first thing we can do is keep the schools open. If a student elects to do some work remotely, we need to have course material online both for review, and recovery from falling behind. If we had a statewide online learning system K-12

it could support teachers efforts in the in the districts without having the burden falling to individual teachers.

Other Issues: For the State Board of Education I believe that policies that support Teachers and Administrators which emphasize excellence: a joy for lifelong learning, and telling kids they can be anything they want to be if they work hard and make honest effort. Parents and teachers should never give up, and help the students love learning so they can be successful in life.

Campaign Website: http://kenmorrowforeducation.com

» DISTRICT 4

» Theldon Branch (D)

No Response Received



» Staci Childs (D)

Qualifications: I run for this position having experience as a 4th and 5th grade English, Social Studies,

and ESL educator, a Theatre Arts educator, Interventionist, Summer School Principal, Founder and CEO of an educational non-profit, and now a defense attorney.

Charter Schools: What I believe to be true is that charter school networks should work in tandem with public schools to ensure that all children are receiving high quality education. I would work to make sure public schools get adequate funding to address the needs of their students by making sure the public schools in my district have would they need to be equally successful.

Inclusive Education: This is extremely important to me. I think to ensure history education is implemented properly, a panel of current educators and practitioners must be created that will help develop this curriculum so that our students are experiencing inclusive education. The panel should be comprised of persons from every creed, race, gender, and lived experience.

Recovery: The State Board of Education can create a task-force comprised of businesses with high level technology and highly educated staff to work together with educators to double-down on the instruction and resources needed to fill the gaps. Companies such as Apple, Microsoft, and HP, have the resources and man power to provide support to our students recoup the learning lost.

Other Issues: The top priority of the State Board



» Staci Childs (D) (continued)

of Education right now is making sure our school districts, students, and parents feel empowered and equipped with what's necessary to make up for losses due to the pandemic. Aside from that, we must make our curriculum inclusive and relevant such that our students ready for the new world they will enter once they graduate.

Campaign Website: http://stacifortexas.com



» Marvin Johnson (D)

Qualifications: I am a college professor and certified mathematics teacher with 20 years experience in

industry and service in the U.S. Army. Viewing education at two levels has given me the tools to provide innovation, efficiency and productivity in education.

Charter Schools: The addition of new independent charter school networks has the potential to decrease resources to public schools that are in some cases already resource challenged. My goal is to minimize the impact to funding of all schools that are focused on truly educating our students. Inclusive Education: Regarding history, I would work with the board to ensure that all students regardless of demographic would be represented

when studying history. The first step to accomplish is to get all stakeholders in the same room on the same page.

Recovery: My approach to helping students catch up from the impact of the pandemic is to reestablish accountability for students, parents, teachers, and administrators alike. To recover, this must be a team effort. The State Board of Education can set reasonable guidelines to help drive programs to ensure all parts carry their load.

Other Issues: Ten points on my platform to address. They include: 1. Truth in Grading, 2. Behavior Guidelines, 3. Triad (Student, Parent, Teacher) Relationship, 4. Reinstate Hard-bound Textbooks (Paperbacks), 5. Teacher Certification only Requires 4-year Degree, 6. Use Technology Wisely, 7. School Safety, 8. Waste Minimization, 9. Teacher Pay, 10 School Funding Reform.



» Coretta Mallet-Fontenot (D)

Qualifications: I have served Houston ISD for 23 years. My Bachelor's and Master's Degrees are in

education. Currently, I am pursuing my doctorate in education. I have served as the District Advisory Committee Co-chair and am a former Campus Teacher of the Year.

Charter Schools: The Basic Allotment for each student enrolled in a public school is \$6,160. I would limit new charter applications. Charter schools received an additional \$1,058 per student. This means

students in need of additional support may not have access to it. For example, may mean the difference between hiring a full-time speech therapist or contracting limited services.

Inclusive Education: America and Texas have rich and complicated histories. The Texas history curriculum should reflect that history. The TEKS should be objectively written and research-based by history teachers, so students learn the facts of our history.

Recovery: TEA should expand academic support along with social and emotional resources to help students recover academically and mentally dur-

LWV

» Coretta Mallet-Fontenot (D) (continued)

ing the pandemic. For example, hiring teaching assistants for core content areas, providing school day tutorials for students who are not able to attend tutorials outside of the school hours.

Other Issues: Issues that are of great importance

for a strong public education system in Texas are: 1) fully funded public education 2) pay raises for school employees 3) fully funded pre-kindergarten and 4) offering multiple paths to graduation.

Campaign Website: http://corettaforsboe4.com

» Larry McKinzie (D)

No Response Received

» DISTRICT 5



» Rebecca Bell-Metereau (D)

Qualifications: Elected SBOE District 5 2020, PhD, author 4 books, teaching Pre-K through graduate,

Peace Corps Chad, Fulbright Scholar, Prof & Dir. Media Studies TXState, past Special Asst. to President, TXState for student retention, ran NEH, TCH teacher workshops

Charter Schools: Texas pits charters against local neighborhood schools, funding charter students 100% with state funding; local public schools get about 40% from state per pupil & remainder from property taxes, creating resentment & inequities. Local schools take all kids; charters send money out of state to management. Let's increase teacher pay instead of encouraging a duplicate system.

Inclusive Education: I'll urge content experts we've picked to produce inclusive, accurate standards that provide guidance, examples of important issues & freedom to address diversity & dissent. Follow student-led interests & community or service-based projects to encourage inclusive civic engagement. Teach about reliable sources, sound research methods, critical thinking, and civil discourse.

Recovery: SBOE can urge governor to give federal aid intended for education to Texas schools. Have \$48.3 billion Permanent School Fund seek ways to direct earnings to needy districts for remediation, tutors, teacher pay, summer & after school, online access, & universal Pre-K. Ranking 39th in state spending per pupil, Texas uses money on admin & testing, rather than students needs.

Other Issues: We must educate the public & calm hysteria over manufactured crises. Fears about critical race theory & sex education have been cynically used to stir up censorship movements. This distracts from students' need for engaging civics, accurate history, science (particularly climate science), & age-appropriate, comprehensive sex education. Rethink & reform high-stakes testing.

Campaign Website: http://voterebecca.com/



» Kevin Guico (D)

Qualifications: I am the only candidate with firsthand experience at all levels of our TX education system from being a teacher aide, a district English teacher, a PD coach, community organizer - to now a strategic and technical advisor to Texas school districts. Charter Schools: Currently, the student-based funding formulas that our TX education system operates around create a false dichotomy between public charter networks and district schools. As an advocate for quality community-based schools, I see emerging work in the state where district schools can access more local and state funding through innovative partnerships and smart policy making. Inclusive Education: As the first Asian American on the board. I would advocate for our curriculum to include Asian American Studies, in addition to African American and Mexican American Studies, and for requiring Ethnic Studies for all so that students not only see themselves in their curriculum, but also learn across lines of difference and develop a more tolerant and inclusive generation.

Recovery: As a Board member, I plan to be a connector and facilitator to districts across the state to replicate what is working, reimagine what isn't, and leverage our federal and state emergency funds for districts to build back our educational infrastructure better. Districts across TX are doing innovative and resilient things to both protect our students and accelerate recovery.

Other Issues: The SBOE has the responsibility of ensuring our school boards have adequate training and support in the current contexts they face. I plan on empowering our local leaders by providing responsive and results-driven support to school board members and district leaders to center our students, drive for equity, and endure disruptive political wind shifts and adult interests.

Campaign Website: https://www.facebook.com /keving4sboe



» Juan Juárez (D)

Qualifications: I am a gay Latino, a first generation college student, a current educator, a high performing principal, and I have over 11 years of expe-

rience teaching in and leading exceptional secondary schools.

Charter Schools: New charter schools must not decrease the per-pupil funding for traditional public school students. ISDs should present to the SBOE evidence of negative impacts on their per-pupil funding. Charter schools should state in their impact statements any intentions to grow enrollment capacity so that traditional public schools can temper their expansion decisions.

Inclusive Education: I will push back against efforts that eliminate diversity, equity, and inclusion (DEI) in state standards. The standards should ensure that the history about people of color is not

white-washed. I will advocate to ensure that a demographically diverse group of teachers create and provide feedback on standards.

Recovery: A post-COVID world should include equity and achievement in conjunction with adaptability in the use of process standards. I will pass strong teacher and principal certification and learning standards. These standards will help prepare teachers for all types of learning environments, not just the traditional teaching and classroom model. Other Issues: Schools should use a DEI lens when teaching the standards. I will ensure that this is a requirement. The first two aspects of this work professional development on anti-racism and a BIPOC-led Diversity, Equity, and Inclusion task force — are key.

Campaign Website: http://www.juanjuarezforTx .org



» Mark Loewe (R)

Qualifications: PhD Physics, UT Austin. BS Chemistry, BS Physics, UC Irvine. Taught physics at UT and

Texas State U. Coauthored a quantum mechanics textbook. Did microelectronics R&D. Devised progressive school choice. Wrote a Texas bill to let kids keep textbooks.

Charter Schools: I devised progressive school choice in the 1980s to attract billions of private dollars per year into Texas K-12 education, maximize public education funds for children who attend public schools, and empower parents, including poor parents, to reject mediocre schools and choose safe schools that better serve the individual needs, abilities, and interests of their children.

Inclusive Education: The best way to improve K-12 education is to implement, or to enable voters to adopt, progressive school choice statewide or district wide. Parents may consider many things when choosing schools, including statistical results of statewide academic tests given at all schools that receive public education funds. I would vote to improve curricula and raise test standards.

Recovery: The SBOE should acquire low cost math, science, and other textbooks for children to keep permanently. Children may then easily review at home their familiar books from previous years. Authors and teachers may reduce review material and focus on new material. Top education systems follow this practice. Four Texas House bills were based on my proposal; I wrote 2009 HB 2959.

Other Issues: I found errors of roughly \$752,000,000 in an unaudited Permanent School Fund schedule of investments issued by the Texas Education Agency and would lead PSF oversight. I found that incorrect scores on statewide math and science tests were issued to hundreds of thousands of Texas children; the TEA failed to correct the scores, issued false statements, and ill-served Texans.

Campaign Website: http://www.markloewe.org



» Robert Morrow (R)

Qualifications: There is no candidate for Texas State Board of Education who cares more about water-

melon-sized titties than does presidential historian Robert Morrow. I also am the president of the Lyndon Baines Johnson Institute for the Study of Presidential Crime.

Charter Schools: I don't know that that impact is, you tell me? Whatever it is, I am completely opposed to charter schools. However I do support Texas high schools having "hot teacher" bikini contests every spring as a way of improving morale among the students. Charter school funding should go to supporting that. Pole dancing and twerking should be worked into the curriculum.

Inclusive Education: Candidate's response did not meet the criteria as listed in this Voters Guide. **Recovery:** Wish them well. Tell them "good luck" in the future. I have a plan to let the University of Alabama have a recruiting station embedded into every 6A high school in Texas. As for Texas A&M they should be forced to start transsexual, lactating linebackers in the spirit of "diversity, equity and inclusion."

STEM program: I support teaching kids how to fart in Morse Code.

Other Issues: Sex education is a big one for me.



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» Robert Morrow (R) (continued)

It should scientifically based and age appropriate.I have a plan to let teenage mothers to have their babies in 9th grade biology class or the school auditorium, subject to a parental waiver.

Teenage boys should be warned about the horrific dangers of masturbating with Elmer's glue.

As for the boobies, I love them sooooooo much!

Campaign Website: https://www.facebook.com /Robert.Morrow.888

» DISTRICT 6

» Michelle Palmer (D)

Unopposed



» Will Hickman (R)

Qualifications: Will Hickman, a Republican from Houston, serves as the current member of the State

Board of Education representing District 6. He has 5 degrees in engineering, law, and Spanish, and over 20 years work experience.

Charter Schools: Hickman is Pro-School Choice, and believes parents should choose the best option for their kids: home school, private school, public charter school, magnet, or zoned ISD schools. Hickman was awarded the 2020 Charter Champion Award from the Texas Public Charter Schools Association. He believes the current system where schools are funded by attendance works well. Inclusive Education: Hickman is against CRT and SEL, and in favor of RRR (reading, writing, and arithmetic). For him, the goal of Texas education is to prepare all students for their own goals

the day after graduation: enrolling in college, starting their career, starting a business, or enlisting in the military.

Recovery: Will Hickman is a parent with three kids in public schools. He is against school closures, virtual learning, vaccine mandates, and mask mandates. Closing the gap starts with opening every school, finding all the kids, and getting them back in the classroom.

Other Issues: Will Hickman is chairing the adhoc Flight Plan Committee with SBOE colleagues from North, East, and West Texas. This committee is looking around the state for how different ISD's implement the requirements of TEC 28.016, for college and career exploration in middle school, and deciding what the best options are for replacing existing SBOE career and college classes.

Campaign Website: http://willhickman campaign.com





» Mike Wolfe (R)

Qualifications: I am a Child Support Officer & Native Texan, a graduate of Houston Christian High

School & The University of St. Thomas; I attended Ave Maria School of Law & served as a Juvenile Supervision Officer, Associate Teacher & Harris County School Trustee.

Charter Schools: Strong competition is a good thing. Charter Schools foster a healthy level of competition which makes for a better educational experience for our kids. Public Schools should not just automatically have free reign to do whatever they want to do. Parents should have a choice in where they send their kids to be educated. Including charter, private, public and home schools.

Inclusive Education: Candidate's response did not meet the criteria as listed in this Voters Guide. **Recovery:** The first step to helping students who fell behind due to the Wuhan Virus would be to end mask mandates and lockdowns across all school districts in Texas and throughout the United States. The best way to recover from the Virus is to promote school vouchers and charter schools and home schooling and whatever forms of education are available and let parents pick the best.

Other Issues: Being born with 2 paralyzed vocal chords and a collapsed lung, I know what it means to be without a voice. I know that parents and kids need a voice in the process. Parents are the decision makers and School Board Members need to learn that. I'm an active member of Houston's Second Baptist Church, I have 2 nieces age 8 and 14 who attend Montgomery County Public Schools.

Campaign Website: http://www.MikeWolfe.com

» DISTRICT 7

» Dan Hochman (D)

Unopposed



» AbolajiTijani'Ayo'Ayobami(R)

Qualifications: A product of Education whose successes are attributed to well rounded Quality Public Edu-

cation up to the University where I acquired Masters of Engineering degrees(18yrs). Also I'm a Son of a Teacher of 36years and Father of 3 Public School attendees

Charter Schools: It may have slight impact on the local public school funding gasping for more funding from their insufficient budgetary allocation before.

However, Charter Schools independent existence is unstoppable due to Teachers Union remote teaching options in Pandemic era & Parental burdens of getting their Children sound Education.SBOE will checkmate this by funding the delinquency Inclusive Education: When Students don't learn a comprehensive History Education, they tend to bastardized history and becomes History themselves. This is a dangerous phenomenon that is building the Critical Race Theories ideologies of radical and leftist agendas. The Constitution supported History Education by the Founding Fathers



» Abolaji Tijani 'Ayo' Ayobami (R) (cont.)

proclamation. SBOE must make History Mandatory for K-12 mostly

Recovery: SBOE Should provide more funding for students that fell behind due to the pandemic & increase educators wages or incentivize Teachers who volunteered to set up after school hours programs for such vulnerable Students so they will be able to catch up on their educational abilities on the delinquent subjects. Focus should be on curriculum that addresses the deficient subject

Other Issues: The SBOE will have to find viable ways to bridge the Students funding deficit in the Public Schools, Find a way to stop the high dropped out rates, Review the Curriculum with emphasis more on STEM Education in compliant with the global demands, Review the Educators Wages and set the Teachers Student classroom Ratios to 1:16 to enable Student learning and Teachers attention

Campaign Website: http://www.aayobami.com

» Michael Barton (R)

No Response Received



» Julie Pickren (R)

Qualifications: I have been a School Board Trustee for the last 6 years in one of the fastest grow-

ing school districts in Texas. Under my leadership we built 9 new schools, lowered taxes, 98% graduation rate, and start our teachers at \$63,000/yr with benefits.

Charter Schools: There is a need for school choice in poor minority neighborhoods. Most Texans have school choice because we can move to pick the school that will provide our children with a great education. Too many parents that do not have that option. We can do better by bringing school choice to low income minority neighborhoods to provide an equal opportunity education for every child

Inclusive Education: History education is not about needs or feelings. History is a set of facts that are necessary for children to learn so we can build on successes and not repeat mistakes. It is important we teach the rich history of America and Texas and the contributions by different cultures that make us great and also the great contributions America and Texas have made to the world.

Recovery: The SBOE can streamline teacher certifications to ensure every classroom has a certified teacher. Also, we need accurate education data that follows the student so we can quickly identify deficiencies and trends. I would also like to see more Instructional Coaches in our schools to provide support for our teachers and individualized instruction for struggling children.

Other Issues: We must ensure that every child in Texas has an Equal Opportunity Education. We can achieve this by replacing equity audits with opportunity audits, bringing school choice to neighborhoods where the schools are failing to educate children, and increase classroom transparency to foster parent / teacher relationships for student success.

Campaign Website: http://www.juliepickren .com





» Danny Surman (R)

Qualifications: I am the only candidate in this race for State Board of Education that is a teacher. I taught

US History to 8th graders for 5 years in Galveston, and I now work as an Instructional Coach in Dickinson ISD mentoring other history teachers.

Charter Schools: While the impact of charter school funding on public schools is not directly clear, too often school finance in Texas is a race to the bottom. There should not be a question of funding for charter schools affecting public finance or vice versa. The state contribution to public education must go up to ensure achievement for all students, regardless of charter funding.

Inclusive Education: Social studies educators in Texas must teach the facts as they happened. Critical race theory should not be the way those facts are taught. The United States has a diverse history, and students should see themselves in that history as it

happened. Teachers must continue to have a strong voice in the revision of the social studies standards to ensure the facts are taught.

Recovery: I hesitate to force another initiative onto school districts that is implemented out of compliance rather than belief in the program. Schools must stop chasing the latest shiny object. We have a rigorous set of standards (the TEKS) that holds students to high achievement. Teachers and schools know the best practices to raise student achievement to meet those standards.

Other Issues: The State Board of Education reviews standards written by the State Board of Educator Certification (SBEC). School districts rely too much on alternative certification programs that teacher candidates rush through in just weeks. We need to raise pay for higher qualified teachers certified through an established institution of higher learning.

Campaign Website: http://surmanforschools .com

» DISTRICT 8

» Jonathan Cocks (D)

Unopposed

» Audrey Young (R)

Unopposed

» DISTRICT 9

» Keven M. Ellis (R)

Unopposed



» DISTRICT 10

» Tom Maynard (R)

Unopposed

» DISTRICT 11



» "DC" Caldwell I (D)

Qualifications: -4 years military leadership development training -Law degree (JD) -8 years teacher

certified -More certification areas than any other candidate -Student experience at 4 universities, 4 community colleges, 3 elementary, and 4 secondary schools -Etc.

Charter Schools: Charter schools compete and collaborate with local public schools for state perstudent grant funding. Charter grants result in higher average contribution from state budgets on students in that school district's boundaries. Higher state contributions increase the community's share of the state budget as compared to areas with similar student population without charters.

Inclusive Education: To be inclusive and address needs, focus on application—not trivia. I reviewed Texas Administrative Code Title 19, Part II, Chapters 110-130 Texas Essential Knowledge and Skills (TEKS), so I advocate for replacing "understand"

with "apply," "identify" with "choose," "discuss" with "demonstrate," and similar replacements to emphasize USING knowledge and practical skills. Recovery: The Board can promote implementation of templates for model recovery programs that are already developed, vetted, and optimized for best practices. Existing recovery resources recommend many of the same principles and guidelines that already work well: -Assign support staff -Provide mentorship -Offer a range of choices -Allow scheduling flexibility -Focus long-term -Etc. Other Issues: The SBOE approved a Long-Range Plan for Public Education in 2018 but did not publish updated legislative priorities for 2021, and I would want to improve some. Looking at the 2019 priorities, I see that the TEKS are based on Texas

Campaign Website: http://ballotpedia.org/DC Caldwell

Education Code Section 4.002, so I recommend

an update to the 1995 Public Education Academic

Goals that recognizes improvements in technology.



» Luis Miguel Sifuentes (D)

Qualifications: I am a former educator, husband and father with a graduate degree (MBA) in manage-

ment. I have always been passionate about education and I wish to continue serving the students, parents and educators of District 11.

Charter Schools: Because funding is based on student enrollment, as students move from public schools to charter schools, they take their student allotment with them. The SBOE should advocate for equitable, fair and transparent funding of our schools and keep that in mind when approving new charters.

Inclusive Education: As a former educator and

» Luis Miguel Sifuentes (D) (continued)

social studies teacher, I became very familiar with the TEKS. As a general principle, curriculum and instructional material should be based on fact and inclusive of the good, the bad and the ugly. The SBOE should be inclusive curators of history, ensuring that the identities of all students are included, not just the identities of a few.

Recovery: The SBOE can adopt instructional materials that are relevant and inclusive to help re-engage disconnected students. The SBOE also needs

to spur strategies in schools that address the mental health needs of students as they cope with the disruptions and loss brought about by the pandemic. Other Issues: The SBOE should work to ensure that they are transparent in their decision making while getting feedback from its customers: educators, parents, and students. I will work to ensure that the voices of parents, educators, and students are solicited and acted upon.

Campaign Website: http://www.LuisMiguel SifuentesforTexas.com

» James Whitfield (D)

No Response Received



» "DC" Caldwell (R)

Qualifications: -4 years military leadership development training -Law degree (JD) -8 years teacher

certified -More certification areas than any other candidate -Student experience at 4 universities, 4 community colleges, 3 elementary, and 4 secondary schools -Etc.

Charter Schools: Charter schools compete and collaborate with local public schools for state perstudent grant funding. Charter grants result in higher average contribution from state budgets on students in that school district's boundaries. Higher state contributions increase the community's share of the state budget as compared to areas with similar student population without charters.

Inclusive Education: To be inclusive and address needs, focus on application—not trivia. I reviewed Texas Administrative Code Title 19, Part II, Chapters 110-130 Texas Essential Knowledge and Skills (TEKS), so I advocate for replacing "understand"

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Campaign Website: http://ballotpedia.org/DC _Caldwell

Education Code Section 4.002, so I recommend

an update to the 1995 Public Education Academic

Goals that recognizes improvements in technology.





» Rebecca Garcia (R)

Qualifications: I worked with children teacher assistant in private and public schools for over 12 years.

I am an active mother of four and grandmother of fourteen that has been active in their education. Charter Schools: The charter schools are competition for the federal education dollars; However, they offer a superior product to our students. No, I believe funding should follow the student whether public or private education.

Inclusive Education: Students should be taught

about American or Texas History in our Education. Our responsibility is to teach true history, of the country and the contribution of all people make in the country.

Recovery: The school can promote peer to peer tutoring, and study groups for a subject. Provide for additional teacher assistance to help with interactive study. Provide some Saturday school study.

Other Issues: Safety for students and staff. Students need to be taught in the different learning styles, adequate for each individual. Students need to be taught the basics.



» Patricia "Pat" Hardy (R)

Qualifications: One does not need to be a teacher to be on the Board but it helps. With many years of ex-

perience as a classroom teacher and inside administrator in public schools, I came with a wealth of knowledge. Being an incumbent has increased that knowledge.

Charter Schools: Charter schools impact local districts if they draw students away from the district, creating lower enrollment, the same impact if a student moves out of district. The vast majority of growth in charter schools is due to expansions of existing charters and not from granting new charters. The method of finance for charter schools has been determined by the Legislature.

Inclusive Education: The state social studies standards are inclusive. Realizing that our state school population is now minority majority, the Board needs to ensure that the standards are factual as well as sensitive to our changing demographics.

We are the only state that offers two ethnic studies courses for state credit. Next year we will add a third ethnic studies course.

Recovery: The state legislature addressed this in the last session by sending funding to districts for remediation for the students with gaps resulting from Covid. The effectiveness of remediating students after a full day of class concerns me greatly. I would support a temporary change in the STAAR testing, making it solely diagnostic thus removing the report card pressure.

Other Issues: School safety concerns me greatly. Much volatility is resulting from bullying situations. I think that building a more secure sense of community and respect for all students might be something that could be folded into the soon to be revised Social Studies TEKS. As a board we need to delve into the pros and cons of virtual schooling. Districts were not prepared for Covid.

Campaign Website: http://hardyforeducation .com/

» Joshua Tarbay (R)

No Response Received

STATE BOARD OF EDUCATION

(continued)

» DISTRICT 12



» Alex Cornwallis (D)

Qualifications: In my profession, I solve incredibly complex problems through simple and effective

solutions. Also, I am a community leader who has worked extensively with all levels of government to bring in resources and improvements for our community's education.

Charter Schools: Charter schools take away funding from our taxpayer funded public school systems, and due to their independent status, are not very transparent. They will require an additional layer of accountability to be effective and that cost brings no value to our taxpayers. I will deprioritize the new approvals of Charter schools and will increase oversight on the current charters.

Inclusive Education: I understand that history is a collective experience that our forefathers have transmitted to us. It is extremely important to learn from that experience so that we don't repeat the

mistakes of the past and are able to plan for a better inclusive future by using history as a guide. Our nation's history needs to be taught as is, with facts, and with absolutely no omissions.

Recovery: Arrange for a temporary spike in funding so that local school districts can hire additional teachers and also invest on additional remedial materials to facilitate an unprecedented rapid academic recovery.

Other Issues: Bring parity to teachers' salary. Texas is significantly behind in teachers' salary from the national average. Set a high priority to modernize the curriculum for STEM, arts, environmental sciences, critical thinking, health sciences and sports. The State Board of Education should do everything they can to shield the teachers from unreasonable and confusing legislation.

Campaign Website: http://www.alexfor education.com/

» Roberto Velasco (D)

No Response Received

» Pam Little (R)

Unopposed

» DISTRICT 13

» Aicha Davis (D)

Unopposed





» Natalie Kohn (R)

Qualifications: High school physics teacher for Fort Bend ISD & Dallas ISD. Curriculum writer for

secondary science in FBISD, as well as assistant principal intern. I've earned multiple awards for district wide top testing scores. Today I am a parent, and PTO member.

Charter Schools: I do not believe that charter schools pose a major threat to the public school system. A fiscal challenge, perhaps, but not such a negative impact that a school district will immensely suffer. We are putting an enormous amount of tax payer dollars in public schools, so parents should be able to direct their student and their money to whichever school they choose is best.

Inclusive Education: I do not believe in discounting any merits made in history. Along with any great accomplishment, disparity and hardship played a crucial role in its development. Teach history unvarnished, acknowledge that very sensitive issues still exist today, but avoid any manner of instruction that establishes division.

Recovery: Initially, reengage disconnected students that feel lost or too far behind by providing them with support and interventions to cover lost ground. Break out groups for small group tutoring in the morning for those students who have been identified as needing help. Outside of school provide students with access to learning technology and engaging learning material.

Other Issues: Teacher retention is a huge issue. I do not believe in continuously raising the starting salary for entry level teachers. Those available funds should be either spent on veteran teachers, or on programs for new teachers still in their first 5 years, or a more cost efficient incentive program. Money is a temporary fix - teachers need to feel valued, supported, & respected.

» Ajua Mason (R)

No Response Received

» Kathryn Monette (R)

No Response Received



» A. Denise Russell (R)

Qualifications: I have been in the education field for over 20 years. I have served on local school dis-

trict committees that have recommended textbook adoptions and established curriculum guidelines. Charter Schools: The local public schools are receiving 100% of the funds allocated towards the students enrolled in their schools.

Inclusive Education: I would review the current history curriculum versus the actual account of the incident to ensure that what is being taught presently is what actually occurred in history.

Recovery: The State Board of Education can work with the Texas Education Administration to develop

» A. Denise Russell (R) (continued)

a common program for all local schools to use on students that have fallen behind due to the pandemic. Other Issues: Creating more life-applicable

courses in order to graduate Texas students who are better socially and financially prepared for success after high school.

Campaign Website: http://adeniserussell.net

» DISTRICT 14

» Tracy Fisher (D)

Unopposed



» Evelyn Brooks (R)

Qualifications: I have over 23 years of teaching practice and experience. This experience includes

classroom teaching, tutoring, homeschooling, mentoring, the founder of a small Frisco homeschool program, summer STEM science youth camp program, and facilitator.

Charter Schools: On average, charter schools receive \$676 less per student than local public schools, and receives no local revenue. Charter schools receive 100% of funding from Texas state sources, and is the only funding they receive. Local public schools receive both local property tax revenue, and state sources. I would not change that impact.

Inclusive Education: In the name of Inclusive Education, many children think socialism is good, and few know the difference between thinking and feeling. I will defend the civil liberties and rights guaranteed to every child, and ensure the development of a history curriculum that is untainted by

any political agenda, and teaches all students our American national heritage.

Recovery: This year Texas students' math test performance dropped from 50% of students meeting their grade level in 2019, to only 35%. The State Board of Education can assist local school districts by developing programs that invest most ESSER resources into math and reading programs that accelerate learning and supports all students and teachers.

Other Issues: Other issues I believe will be the most pressing for the State Board of Education is to address the overreach of influence and control of our local school districts by the taxpayer funded lobbyist groups TASB and TASA, the moral corruption of Comprehensive Sexual Education, and the invasive teachings of emotional and behavioral control through Social and Emotional Learning

Campaign Website: http://evelyn4texas education.com

» Sue Melton-Malone (R)

No Response Received

STATE BOARD OF EDUCATION

(continued)

» DISTRICT 15



» Jay Johnson (R)

Qualifications: 1.SBOE-elected 2020 2.Pampa ISD Trustee for 16+ years, 3.Long range planning comm.

for PISD, 4.Co-chair citizen's comm. successfully passed bond issue, 5. Hundreds of hours of school board training, 6.Planning comm. Pampa HS multipurpose building.

Charter Schools: Every student/parent deserve options if trapped in a poor performing public school. Charter schools are currently the PUBLIC OPTION. Charter schools are utilized by 6.7% of Texas students, but 20% of funding, therefore charters must perform. SBOE and the legislature need to do an in depth study of charter school performance to determine effectiveness and/or other solutions **Inclusive Education**: SBOE is reviewing all Social Studies in 2022. Appointing Highly Qualified Content Advisors and Work Groups is mandatory. TEKS must be carefully scrutinized. Comprehensive History is comprehensive history for all Texas

students. The knowledge students in Texas classrooms NEED is the same for all students in all social studies [civics] classes. Education techniques may vary.

Recovery: C19 Closures plus typical summer slide averaged 5.7 months learning loss for 2020 school year. Instructional material must be changed to assist accelerated learning. High quality tutoring must be used to accelerate closing learning gap. Billions of dollars have been allocated for Texas schools. SBOE and TEA must be flexible to allow school districts to make local choices

Other Issues: SBOE has authority to review local school board training. SBOE should investigate if local board training might improve relationships and understanding between all stakeholders. Critical Race Theory has become a hot button issue. SBOE should do everything possible to be certain that all revised TEKS and Instructional material are compliant with newly passed CRT legislation

Campaign Website: http://jayjohnsonsboe.com

» Aaron Kinsey (R)

No Response Received

CHIEF JUSTICE AND JUSTICE, **COURT OF APPEALS**

Six-year term. Courts of Appeals hear appeals on civil and criminal cases from lower courts in their districts. Current salary for Chief Justice: \$187,800. Current salary for Justice: \$184,800.

» See VOTE411.org to compare Court of Appeal candidates in your district.





» HELPFUL CONTACTS AND WEBSITES

League of Women Voters of Texas lwvtexas.org

Secretary of State VoteTexas.gov

Your County Election Website lwvtexas.org/find-your-county-election-website

Election Protection 866OURVOTE.org

Voter Hotlines!

- English: 866-OUR-VOTE or 866-687-8683
- Spanish: 888-Ve-Y-Vota or 888-839-8682
- Asian: 888-API-VOTE or 888-274-8683
- Disability Rights TX: 888-796-VOTE or 888-796-8683

Republican Party texasgop.org

Democratic Party txdemocrats.org

Libertarian Party lptexas.org

Green Party txgreens.org





EMPOWERING VOTERS. DEFENDING DEMOCRACY.

The LWV is a nonpartisan political organization and is one of America's most trusted grassroots organizations! We aim to:

- Achieve a free and fair democracy
- · Increase participation in government
- Expand voter participation in Texas
- Create a League that is diverse, equitable, and inclusive.



League of Women Voters of Texas Voter Education Chair: Dorothy Marchand Production Team: Community Impact, Inspirare Communications, Jaci Collins, Motto Publishing Services, Trúc Việt Organization



» TEXAS LOCAL LEAGUES

Learn more about our local Texas Leagues and how they help shape today's important issues by visiting lwvtexas.org.

Amarillo	Comal Area	Fort Bend County	Midland	Tarrant County
Austin Area	Cooke County	Hays County	Montgomery County	Tyler/Smith County
Bay Area	Corpus Christi	Hill Country	Richardson	Victoria
Baytown	Dallas	Houston	Rio Grande Valley	Waco Area
Cy-Fair	Denton	Irving	San Antonio Area	Wichita Falls
Collin County	El Paso	Lubbock County	South Central Texas	Williamson County





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UNITARIAN UNIVERSALISTS

of NEW BRAUNFELS

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LEAGUE OF WOMEN VOTERS* OF TEXAS NONPARTISAN VOTERS GUIDE

GENERAL ELECTION » NOVEMBER 8, 2022

Governor » Lieutenant Governor » Attorney General » Comptroller of Public Accounts »
Commissioner of General Land Office » Commissioner of Agriculture » Railroad Commissioner »
Texas Supreme Court » Texas Court of Criminal Appeals » State Board of Education » Court of Appeals

EARLY VOTING: Oct. 24-Nov. 4, 2022 » ELECTION DAY: Nov. 8, 2022. Polls open 7 a.m. to 7 p.m.

» VOTING IN TEXAS

All Texas voters are encouraged to vote in the General Election!

The November 2022 General Election will determine who will lead us at the state level, represent us in Congress, rule on important civil and criminal cases, set the Texas school curriculum and run our cities and counties. All the races will have an impact on the lives of Texans. As you know, the League of Women Voters of Texas is working hard to make sure Texas voters have the information on candidates they need to make informed decisions.

Texas no longer has straight-ticket voting. So, voters in Texas cannot check one box to vote for one party's full slate of candidates. Instead, voters mark a box for their candidate choice for each race in which they want to vote. Candidates representing a party are identified with a letter following their name: "R" for Republican, "D" for Democrat, "L" for Libertarian, or "G" for Green. Candidates in many local elections are nonpartisan and do not represent a party.

» SIGN UP FOR VOTING REMINDERS!

To get voting reminders on your phone, text LWVTX to 80123.



» ABOUT THIS VOTERS GUIDE

This *Voters Guide* is funded and published by the League of Women Voters of Texas. The League never supports or opposes political candidates or political parties.

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»EMPOWERING VOTERS. DEFENDING DEMOCRACY.

» ONLINE VOTERS GUIDE

The online, interactive version of the *Voters Guide* is at **VOTE411.org**. By entering your address, you can view races and candidates on your ballot, compare candidates' responses to unbiased questions posed by the League, and create a print-out of your choices to take to the polls. If there is a local League in your community, you can also find information on any local races.





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VOTERS GUIDE | 2022 GENERAL ELECTION 1





» BE A TEXAS VOTER!

The League of Women Voters of Texas fights for the freedom of ALL Texans to vote. Your vote is your voice... below are the ways to exercise your right to vote. Whichever way you choose to vote, be sure to first check your voter registration status at **VoteTexas.gov!** You must be registered before you can vote!

» VOTE BY MAIL

- · You can vote by mail if you are:
 - · 65 years or older
 - Sick or disabled
 - · Out of the county during early voting and on Election Day
 - · Expecting to give birth within 3 weeks before or after Election Day
 - · In jail, but otherwise eligible to vote.
- · To vote by mail in Texas:
 - 1. Get an application:
 - · Download or print the application from lwvtexas.org, VoteTexas.gov, OR
 - Call your County Election Office to request an application.
 - 2. Fill out the application:
 - · Provide all the required and requested voter information, including:
 - Your contact information, in case there's an issue with your application.
 - · Your ID numbers
 - · Your TX Drivers License or TX Personal ID number, AND
 - · The last four digits of your social security number.
 - · Mailing address to where your ballot will be sent.
 - · Reason for voting by mail.
 - · The election for which you are requesting a ballot.
 - If 65 or older, or disabled, you can check "Annual Application" to receive ballots for all elections for that calendar year.
 - In even years, mark in which party primary and runoff election you want to vote.
 - · Sign and date the application.
 - If somebody assisted you with the application or witnessed your signature or mark, they must complete the section provided on the application.
 - 3. Return your completed application as soon as you can.
 - The application must be received at least 11 days before Election Day.
 You can:
 - Mail the application to the County Election Office, addressed to the Early Voting Clerk, OR
 - Hand deliver your application to your County Election Office.
 - 4. When your ballot arrives, mark and pack it:
 - Mark your ballot with a black or blue pen.
 - · Fill out the ovals completely—do not mark with X's, checks or circles.
 - Put your ballot in the ballot envelope and seal it. Put only one ballot in each ballot envelope.
 - Place the ballot envelope in the carrier envelope—wait to seal the carrier envelope!
 - 5. Fill out the carrier envelope with the following information:
 - · Your ID numbers
 - · Your TX Drivers License or TX Personal ID number, AND
 - The last four digits of your social security number.
 - Your contact information, in case there's an issue with your ballot.
 - · Seal the carrier envelope in both places, then sign over the flap.
 - If an assistant helps you complete the ballot, they must fill out the required information in the space provided on the carrier envelope.

- If you're unable to sign, your witness must fill out the required information in the space provided on the carrier envelope.
- 6. Return your ballot as soon as you can!
 - Your ballot must be received by 7:00 p.m. on Election Day. You can return it using one of the following:
 - Mail your ballot by the U.S. Postal Service, using two stamps if you are not sure. You can also use FedEx, UPS or DHL to return your ballot. OR
 - Hand deliver your ballot in person to your main County Election
 Office on Election Day while the polls are open. You must show a
 photo ID. OR
 - · Vote in person instead:
 - Take your mail ballot to your polling place during early voting or on Election Day to vote a regular ballot.
 - If you lose or forget your mail ballot, you can vote using a provisional ballot.
- 7. Track your ballot at VoteTexas.gov!

» VOTE EARLY IN PERSON

- You may vote early at any voting location in your county.
- Find polling places at VOTE411.org or on your county election website.
- · If you have a disability, you may request to move ahead of other voters in line.
- . If in line before the poll closing time, you must be allowed to cast a ballot.

» VOTE ON ELECTION DAY

- In some counties, you can vote at any polling place. In other counties, you can
 vote only at your precinct.
- · Find polling places at VOTE411.org or on your county election website.
- . If you have a disability, you may request to move ahead of other voters in line.
- · If in line before the poll closing time, you must be allowed to cast a ballot.

» VOTE IN PERSON USING CURBSIDE VOTING

- If you are physically unable to enter the polling place without personal assistance or likelihood of injuring your health, you may ask that an election officer bring a ballot to your car.
- After you mark your ballot, give it to the election officer or hand it to a companion to deposit in the ballot box for you.
- · It is best to call ahead so election officials will expect you!

» VOTE EVEN IF YOU ARE A SUSPENDED VOTER

You can still vote if your voter registration is in suspense! "Suspense" means that your county voter registrar needs to confirm your voting address.

» VOTE A LIMITED BALLOT IF YOU HAVE MOVED BUT NOT RE-REGISTERED

If you have moved to a new county and have not re-registered in the new county by the registration deadline, you may be eligible to vote a limited ballot in your new county. A limited ballot is one that allows you to vote on candidates and measures that are on the ballot for both your former county and your new county, such as statewide and national races. Voting a limited ballot is only available during early voting at the main early voting polling place.



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» VOTER ID: WHAT TO TAKE TO THE POLLS

You may use one of seven forms of photo ID, listed below.

- · Texas Driver License
- · Texas Election Identification Certificate
- Texas Personal Identification Card issued by the Department of Public Safety (DPS)
- · Texas Handgun License issued by DPS
- · US Military Identification Card containing the person's photograph
- · US Citizenship Certificate containing the person's photograph
- · US Passport (book or card)

Note:

- · IDs may have expired up to four years.
- Persons 70 years or older may use an expired ID, regardless of expiration date.
- · ID address does not have to match the voter registration address.
- The name on the photo ID should match the voter registration card or be "substantially similar." If the names don't match exactly but are substantially similar, the voter will initial a box for a similar name when signing in to vote.

Registered voters without photo ID, who cannot reasonably obtain one, may sign a form (described below) and present the original or a copy of one of the following documents with the voters name and address to vote a regular ballot:

- · Texas voter registration card
- · Certified birth certificate
- · Current utility bill
- Bank statement
- · Government check
- Paycheck
- Any other government document such as an out of state driver's license or expired Texas driver's license.

The form to be filled out by registered voters without a photo ID is a "Voter's Declaration of Reasonable Impediment or Difficulty". The voter must mark on the form one of the following reasons for not providing a photo ID:

- · Lack of transportation
- · Disability or illness
- Lack of birth certificate or other documents needed to obtain an acceptable form of photo ID
- · Work schedule
- Family responsibilities
- · Lost or stolen identification
- · Acceptable form of photo ID applied for but not received.

» VOTER HARASSMENT

- Election officials cannot question a voter about the use of an ID type.
- · Poll watchers may never question a voter about Voter ID issues.
- · If you are harassed, call or text Election Protection at 866-687-8683!

» LEAGUE VOTERS GUIDE POLICY

- For the races covered in the Voters Guide, all candidates on the ballot with opponents are invited to participate.
- · Unopposed candidates are listed, but not invited to participate.
- Candidate replies are printed without editing or verification. The League assumes no responsibility for the content of the candidate responses.
- Negative references to opponents (including officeholders) or specific persons are not allowed.
- If the League determines a response does not meet the criteria listed in this
 Voters Guide and, if time allows, the candidate will be contacted and given an
 opportunity to reword that response. If not changed, in place of a response
 that does not meet the criteria, the Voters Guide will state "Candidate's re sponse does not meet the criteria listed in this Voters Guide."
- Videos that do not comply with the criteria listed in this Voters Guide are removed.
- Links to websites that are not official campaign websites or social media pages are removed.
- The Voters Guide is organized by office, with candidates listed by party, including the names of unopposed candidates. For primary and runoff elections, the order of the parties is alternated each election year. For general elections, the parties are listed in ballot order.
- Candidates with no photo in this Voters Guide did not submit a photo by the print deadline.
- Candidates who do not respond to our questionnaire by the print deadline are listed with the notation "No response received by the print deadline". If submitted after the print deadline, their information may be found at VOTE411.org.

» HELPFUL CONTACTS AND WEBSITES

League of Women Voters of Texas lwvtexas.org

Secretary of State

VoteTexas.gov

Your County Election Website https://www.sos.texas.gov/elections/voter/links.shtml

Election Protection 866OURVOTE.org

Voter Hotlines!

- · English: 866-OUR-VOTE or 866-687-8683
- Spanish: 888-Ve-Y-Vota or 888-839-8682
- Asian: 888-API-VOTE or 888-274-8683
- Arabic: 844-YALLA-US or 844-925-5297
- Disability Rights TX: 888-796-VOTE or 888-796-8683

Republican Party

texasgop.org

Democratic Party txdemocrats.org

Libertarian Party lptexas.org

Green Party

txgreens.org

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VOTERS GUIDE | 2022 GENERAL ELECTION 3



GOVERNOR

Four-year term. The governor is the chief executive of the state. They appoint members to boards and commissions; appoint statewide executive officials, state judges and district attorneys when vacancies occur; declare special elections to fill vacancies in certain elected offices; deliver the State of the State address; provide guidance to the legislature; call special sessions of the legislature and set the agenda; and serve as commander-in-chief of the state's military forces. The governor can veto legislation (including a line-item veto on appropriations), sign legislation, or allow it to become law without their signature. Current Salary: \$153,750

» QUESTIONS TO CANDIDATES

Gun Safety: What steps, if any, should be taken to curb gun violence in our communities?

Economy: What can be done at the state level to address the high rate of inflation and other economic challenges faced by Texans?

Power Grid: What can be done to ensure that Texas has sufficient power during extreme weather conditions?

Elections: Considering the high rate of vote-by-mail ballot rejections in the 2022 Primary Elections, what changes, if any, are needed to election laws?

Immigration: What is the role of the state government in addressing immigration at the border?

Abortion: How would you address the economic and health consequences for those who cannot obtain abortions in Texas?

» Greg Abbott (R)

No response received by the print deadline



» Beto O'Rourke (D)

Gun Safety: I will always prioritize the lives of our children and the safety of our fellow Texans over any special interest. As governor, I will fight for bipartisan, commonsense gun safety measures that the majority of Texans agree on, like raising the minimum age to purchase an assault rifle to 21, implementing

universal background checks, and establishing a red flag law system. **Economy:** I'll lower property taxes by closing the loopholes that allow wealthy corporations to push their tax burden onto homeowners and small businesses. I'll reduce energy bills by fixing the problems with the Texas power grid, investing in energy efficiency, and providing direct bill assistance. And I'll raise the minimum wage to \$15/hour so that hardworking Texans can afford to support their families.

Power Grid: To prevent another deadly blackout and lower Texans' skyrocketing electricity bills, I will connect Texas to the national grid, weatherize all elements of our energy infrastructure, invest in energy efficiency, build out more transmission and storage capacity, and establish mechanisms to prevent energy companies from price gouging ratepayers.

Elections: I will ensure every eligible voter in Texas can freely and fairly cast their ballot, including by repealing onerous and purposefully confusing vote-by-mail procedures, implementing online and same-day voter registration, guaranteeing easy, equitable access to polling places, and establishing independent redistricting commissions to end gerrymandering.

Immigration: The state government should provide local communities the support they need to respond to migration flows at the border in a safe and orderly fashion. That can include support for migrant processing, shelter, and transportation—as long as it is done in a way that reflects our values, upholds U.S. asylum laws, and refrains from wasting taxpayer dollars on political stunts instead of solutions.

Abortion: I will fight to repeal Texas' extreme abortion laws that endanger the lives of women and make no exception for rape or incest. I will also strengthen investments in women's health and family planning programs to increase access to contraception and cancer screenings, and combat Texas' maternal mortality crisis by expanding Medicaid and increasing pregnancy Medicaid to one-year postpartum.

Campaign Website: https://www.betofortexas.com



» Mark Tippetts (L)

Gun Safety: To meet Texans' security and education preferences, I support a school choice system so all Texans can afford to send their children to private, public, or home school. Cut taxes and government spending to create a more vibrant economy that draws people away from criminal activity. Curb drug

war-related violence by legalizing marijuana.

Economy: As a Libertarian, I'm in favor of reducing government spending and lower taxes at all levels. Inflation is caused by the federal government printing more money to cover its massive spending which devalues the dollar. Currently a few insiders grant targeted tax cuts and incentives to get businesses to move here. Instead, I support taxing all businesses at the same, but a lower rate overall. **Power Grid:** I built a hydroelectric plant in Belize, Central America and know that bad decisions by government regulators have caused our power grid problems and outages. We need to get the governments out of the energy management business so one bad decision-maker can't harm the entire state. We need to eliminate the current taxes and subsidies on all forms of energy and allow new nuclear generation.

Elections: The Republican and Democratic parties passed laws imposing new fees on Libertarians which make it harder for Libertarians and others to run for office. I helped file lawsuits to overturn these bad laws. Republicans and Democrats shouldn't get to outlaw competition. Let the people decide who to vote for. I support efforts that make it convenient to vote, while protecting election integrity.

Immigration: It's nearly impossible to immigrate to America legally. We could end most illegal immigration by enacting a good comprehensive immigration policy, making it easier for honest, hardworking people to come work and live here legally. Reform requires federal action. Instead of seeing foreigners as a problem, we should welcome them as potential friends, business partners, and customers.

Abortion: Recognizing that abortion is a sensitive issue, and that people can hold good-faith views on all sides, I believe that government should be kept out of the matter, leaving the question to each person for their conscientious consideration. A group of mostly men legislators should not be able to tell my daughters what they can and can't do with their bodies.

Campaign Website: https://www.mark4gov.com/



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GOVERNOR | (continued)



» Delilah Barrios (G)

Gun Safety: Retailers must limit the amount and frequency of sales of guns and ammunition. The police budget should be limited as well and resources should go towards housing, childcare, education, gardens, transportation etc. I am a supporter of community police because the police criminalize poverty

and mental health.

Economy: We need to halt all fossil fuel subsidies. We should use those funds for universal healthcare and a living wage. We also need public transportation, sustainable farming and renewable energy. Free education and work programs in high school would help boost job growth. As well as a just transition. Legalizing marijuana would boost our economy too.

Power Grid: Making all utilites publicly owned, investing more into wind and solar and expanding our grid to neighboring states or countries for better reliability.

Elections: Several changes are needed. I support ranked choice voting and also proportional representation. I support same day voting registration and voting mail, we need better protections for voters to have their voices heard.

Immigration: The role of our state is to be good neighbors. To have compassion and offer opportunities both here and in Mexico. We rely heavily on the exploitation of the global south. I would like to see Texas make ammends and speed up the immigration process while also supporting Mexico's economy as well. A sustainable partnership would be ideal.

Abortion: Statewide single payer would eliminate the insurance companies ability to cause harm to patients. I would enact a law that would provide protection to patients and providers. Anyone deliberately interfering with patient care due to religious or other will face a 50k+ fine plus jail. This is only a short term solution while we set up statewide single payer and better patient rights for autonomy.

Campaign Website: https://delilahfortexas.com

LIEUTENANT GOVERNOR

Four-year term. The lieutenant governor is powerful because of their position as president of the Texas Senate, where they appoint the chairs and vice-chairs of committees; appoint senators to committees; assign bills to committees; and control the Senate's agenda. They are also a member of several commissions and boards, and serve as governor in the governor's absence. Current Salary: As Senate president: \$9,612 plus \$190 per diem. When serving in the governor's absence: that of the governor.

» QUESTIONS TO CANDIDATES

Gun Safety: What steps, if any, should be taken to curb gun violence in our communities?

Economy: What can be done at the state level to address the high rate of inflation and other economic challenges faced by Texans?

Power Grid: What can be done to ensure that Texas has sufficient power during extreme weather conditions?

Public Education: What is your position on using public funds for school vouchers for private schools and why?

Elections: Considering the high rate of vote-by-mail ballot rejections in the 2022 Primary Elections, what changes, if any, are needed to election laws?

Abortion: How would you address the economic and health consequences for those who cannot obtain abortions in Texas?

» Dan Patrick (R)

No response received by the print deadline



» Mike Collier (D)

Gun Safety: As Lt. Governor, I will work with community leaders and law enforcement to raise the age to purchase a firearm to 2l, universal background checks, safe storage requirements, and a waiting period to buy a semi-automatic firearms. These actions must be undertaken before the start of the next

school year because the time to stop the next school shooting is now.

Economy: Over the last eight years, Texans have faced skyrocketing property taxes. Thanks to tax loopholes, Texans are paying more so that corporations can pay less. I will close those loopholes in order to bring down taxes for folks across the state and make corporations pay their fair share.

Power Grid: As a lifelong businessman and energy expert, I will make fixing the power grid amongst my top priorities. I will work to bring down energy bills for Texans by investing in producing more energy, investing in energy storage and smart grid technology, and establishing emergency tie-ins to the national power grid.

Public Education: As Lt. Governor, I will work tirelessly to fund our local schools. I am opposed to efforts to divert taxpayer dollars to unaccountable, private school vouchers that would raise our property taxes and defund our schools, especially hurting rural Texas.

Elections: Texas voters who make a good faith attempt to cast a ballot should not have their voice silenced due to discriminatory and opaque election laws past by the Texas Legislature. If I led the Senate as Lt. Governor, I would undo the suppressive changes made by SBI and improve the ballot cure process. **Abortion:** Under current law, all abortions are banned in Texas, including in cases of trans or insect. As Lt. Governor, Lwill work to codify the protections of

cases of rape or incest. As Lt. Governor, I will work to codify the protections of Roe v. Wade into the books of law—returning the power to make decisions to doctors and their patients, as well as invest in pre-natal and maternal healthcare for women across Texas.

Campaign Website: https://CollierForTexas.com

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LIEUTENANT GOVERNOR | (continued)

» Shanna Steele (L)

Gun Safety: I support the Second Amendment. Ending the war on drugs, treating addiction, and improving economic conditions would curb gun violence. Economy: Legalizing marijuana and eliminating property taxes would be a good start to increasing the GDP and improve the economic challenges faced by Texans. Power Grid: There are several hydroelectric power plants that used to be connected to the power grid that are no longer in operation. By fixing these power plants and other parts of the power grid infrastructure we will be on the right

Public Education: Parents should be able to choose the school that best fits their child's needs.

Elections: The changes needed start with removing the duopoly created by the Democrats and Republicans who make it difficult for those who want to vote. [Candidate's response does not meet the criteria listed in this Voters

Abortion: I would remove state government from healthcare decisions that should be made between doctors and their patients. In addition, I would like to make the adoption process easier for those who choose adoption over

ATTORNEY GENERAL

Four-year term. The attorney general is the chief law enforcement officer of the state; represents the state and state officials in legal matters; issues opinions; oversees collection of child support; administers the crime victims compensation fund; enforces the open records/open meetings acts; approves public bond issues; and enforces consumer regulations. Current salary: \$153,750

» QUESTIONS TO CANDIDATES

Elections: How would you protect Texans' freedom to vote while maintaining safe and secure elections?

Ethics: How can voters be assured that campaign donations will not impact how the Attorney General interprets and enforces the law?

Children's Health: Do you believe the government should become involved in healthcare decisions made for children by their parents and physicians? Please explain.

Immigration: What should be the role of the Texas Attorney General regarding immigration law and policy?

Priorities: What would be your highest priorities for the next four years, and how do you intend to accomplish them?

» Ken Paxton (R)

No response received by the print deadline



» Rochelle Mercedes Garza (D)

Elections: As Attorney General, I will dismantle the wasteful "election integrity unit" - which is really about enforcing the GOP's voter suppression measures, instead of protecting voting rights - and replace it with a voter protection unit under a fully funded Civil Rights Division. I will ensure voting rights

are protected, not undermined, especially for voters of color.

Ethics: We must bring about fundamental change in the office of the Attorney General. I'm running for Texas AG to restore integrity, transparency and trust to the office. That means ending the culture of corruption and pay-to-play politics. As AG, I will not be beholden to powerful industries; instead I will answer to the people of Texas and respect the rule of law.

Children's Health: As a parent, I am deeply committed to ensuring the office of the Attorney General protects all Texans. Decisions about the health of children are extremely personal, and should only be made between parents, physicians and the child, when appropriate. Politicians have no place in the decisionmaking process about a child's medical treatment.

Immigration: Immigration enforcement falls under federal jurisdiction. As an immigration attorney and border native, I understand the complexities of our immigration system. I have litigated against bad policies that have created a humanitarian crisis at the border. Texas' enforcement efforts at the border are unconstitutional, wasteful and only worsen the issue.

Priorities: As AG, I will protect the rights of all Texans. I'll root out corruption and bring back integrity and transparency to the AG's office. I'll create a Civil Rights Division to protect the safety, privacy, and dignity of Texans, and I'll prioritize consumer protections to hold bad actors accountable. Most importantly, I will fight to restore abortion rights in Texas.

Campaign Website: https://RochelleGarzaforTexas.com

» Mark Ash (L)

No response received by the print deadline



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COMPTROLLER OF PUBLIC ACCOUNTS

Four-year term. The comptroller is the chief financial officer of the state; collects state taxes and fees; pays the state's bills; provides revenue estimates to the legislature; certifies the budget; reports the condition of the state's finances; and provides economic development assistance to local governments and private businesses. Current salary: \$153,750

» QUESTIONS TO CANDIDATES

Rainy Day Fund: What is the optimal amount to be held in the Rainy Day Fund? How would you balance paying down the state's debt vs. responding to urgent needs?

Taxes: What is the proper balance of tax revenues sources in order to fairly fund state government, including public schools?

Financial Obligations: How can we ensure that Texas meets its long-term financial obligations such as infrastructure maintenance, state employee pensions and health care coverage for public school teachers and employees?

Priorities: What would be your highest priorities for the next four years, and how do you intend to accomplish them?



» Glenn Hegar (R)

Rainy Day Fund: Texas is blessed to have a strong Rainy Day Fund, which is designed and should be used to smooth out the state's revenues during an economic downturn, to assist in a disaster, and for one-time expenses that are strategic for Texas' economic health and well-being. I fought to manage these dol-

lars more effectively to guard against inflation and protect them for generations. **Taxes:** Funding public schools in Texas has been a shared burden split between state funds and local property taxes. Until recently the local share was allowed to grow unchecked creating increased pressure on local property taxes. I helped compress local property tax rates and rebalance the burden between state funds and local taxpayers. Our strong economic recovery now puts us in position to do more.

Financial Obligations: Since practically my first day in office I have sought to shine a light on the state's balance sheet and the need to address our long-term obligations. I fought to address threats to our state's fiscal health and ensure Texas teachers can access quality healthcare. I helped lawmakers pass historic pension reform to put our state on firm footing and avoid credit downgrades.

Priorities: I will continue to focus on the core constitutional duties of my office and that means maintaining my attention on the Texas economy. Navigating the last few years has been difficult, but I have always remained focused on the trends, challenges and opportunities in our state economy. We must fight to keep Texas a place where freedom creates new opportunities for families and businesses to thrive.

Campaign Website: https://glennhegar.com



» Janet T. Dudding (D)

Rainy Day Fund: Government Finance Officers Association recommends a minimum of 2 months of regular revenue or regular expenditures be maintained in a rainy day fund. Typically, rainy day monies mitigate the risk of unstable revenues or unexpected expenditures. Natural disasters fall into

the 2nd category & Texas ranks 1st in these. The state of Texas' general obligation debt currently is rated Aaa/AAA/AAA.

Taxes: Find new revenue for Charter & 313. Texas Legislature added \$6.5 billion dollars in funding to public schools in 2019. Yet per a 2021 SPLC report, Texas currently ranks 40th in the nation. New rev streams are needed. Legalizing adultuse cannabis could bring \$1 billion in tax revenue (and decriminalization could save \$300 million). Look at "green" taxes to build revenue streams from green energy.

Financial Obligations: Re infrastructure, accept & leverage federal dollars. With fuel efficient vehicles, look at creating a revenue from alternative fuels to maintain roads. Public school benefits: employees in all but ~18 school districts do not participate in social security and they should. Public school employees should have excellent healthcare w/o sharing premium costs. Reduce public school property tax reliance

Priorities: Statute defines Comptroller as state's 'sole' accountant. We've never had a CPA as our Comptroller. I will be the watchdog over tax dollars, answerable to Texans not special interests. As a hurricane survivor, climate-disasters are personal to me and I will work to mitigate the root cause as well as our risk exposure through SECO. Expand broadband by partnering with local govt utilities & coops.

Campaign Website: https://www.janetdudding4texas.com/



» V. Alonzo Echevarria-Garza (L)

Rainy Day Fund: I would suggest sic months of operating expenses is a good start. However, this depends on the mitigating policies implemented by the state.

Taxes: I don't believe there is, strictly speaking, a proper balance that policy makers should adhere to, or fix to fairly fund

state government or public schools. The question is not the balance amounts, but what mechanisms are in place to adapt.

Financial Obligations: budget analyst and policy makers must utilize the social discount rate in performing cash discounting of projects, and cost benefit analysis. Priorities: The highest priority is to implement policies that may improve operations, optimize benefits, and offer flexibility in dealing with financial challenges. These policies will not only improve conditions in four year, but beyond my own term in office.

 $\begin{tabular}{ll} \textbf{Campaign Website:} & \textbf{https://www.alonzo-echavarria-for-texas-state-comptroller.com/} \\ \end{tabular}$

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LWY

COMMISSIONER OF GENERAL LAND OFFICE

Four-year term. As head of the General Land Office, the commissioner manages state lands, including oil and gas properties (which supply funds to the Permanent School Fund) and the Alamo. The commissioner chairs the Veterans Land Board, which administers programs for Texas veterans, and is responsible for environmental protection of Texas' coast. Other state boards chaired include the School Land Board and the Coastal Coordination Advisory Committee. Current salary: \$140,938

» QUESTIONS TO CANDIDATES

Allocation of Federal Funds: When federal funds for natural disaster relief are allocated, how would you ensure that communities with the highest needs are prioritized?

The Alamo: As the head of the agency that manages the Alamo, what story should it tell?

Coastal Planning: What measures would you implement to restore and protect the Texas coast, wetlands, and structures along the coast to minimize damage from major storms?

Priorities: What would be your highest priorities for the next four years, and how do you intend to accomplish them?



» Dawn Buckingham (R)

Allocation of Federal Funds: When catastrophe strikes the Texas coast, I'll be there every step of the way to help Texans recover. I grew up in a small town along the Texas coast, so I know firsthand just how devastating a major hurricane can be and what people need in its aftermath. As Land Commissioner,

I'll make sure the GLO is fully prepared to respond to catastrophic storms that impact our coast.

The Alamo: I am, and always have been, a champion for the preservation of our Texas History. As a State Senator, I laid down the legal challenge to keep the Cenotaph in its rightful place out front. Our Alamo should tell the story of Texas' revolution and of course the battle at the Alamo itself.

Coastal Planning: Our coastal communities deserve a Land Commissioner that is as tough and resilient as they are. As a state senator, I am proud to have supported measures to fund flood mitigation, prepare for construction of a coastal spine, and more. Investing in coastal infrastructure to mitigate the effects of hurricanes is just smart. We can save lives and protect property with these investments. Priorities: I'm running for Texas Land Commissioner to improve the lives of all Texans and protect the Texas we know and love for future generations. As the first female Land Commissioner in history, my priorities are unleashing Texas oil and gas production, keeping our communities safe by securing the border, and protecting the Permanent School Fund to ensure that every child has a great public education.

Campaign Website: https://www.dawnbuckingham.com



» Jay Kleberg (D)

Allocation of Federal Funds: Centering the voices of communities most impacted by natural disasters and least-supported by our government is a priority for my campaign and will continue to be a priority for me as commissioner. As Land Commissioner, I will emphasize the reformation of disas-

ter relief and recovery programs at the General Land Office. This will ensure Texans most affected have the proper funding.

The Alamo: The story of the Alamo is as far reaching and complex as Texas itself. The Alamo is a symbol of Texan and Tejano pride and we must honor those contributions to Texas. It's also important to consider the role of early Black Texans and slavery in our history, as well as indigenous groups who inhabited the site for centuries. All of these groups should have input in the conversation on the Alamo.

Coastal Planning: An example of measures I support is the nearly \$30 billion investment in protection measures for the Texas Gulf Coast, including a coastal storm barrier in Galveston and beach restoration efforts on South Padre Island. As Land Commissioner, I would prioritize projects like these and work with all stakeholders to secure funding for these projects and other disaster mitigation and recovery efforts.

Priorities: Reforming the GLO disaster programs to ensure all Texans can recover from the last storm and prepare for the next one. Expanding carbon storage opportunities by opening leases in Texas' submerged lands. Responsibly expanding renewable energy production on state lands to diversify our revenue base. Reforming and modernizing the Veterans Land Board to expand and improve Veteran services in Texas.

Campaign Website: https://www.jay4tx.com/

» Alfred Molison, Jr. (G)

No response received by the print deadline



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COMMISSIONER OF AGRICULTURE

Four-year term. The agriculture commissioner's principal job is promoting Texas' agricultural products. In that capacity, the commissioner facilitates trade and marketing of agricultural products; regulates weights and measures; regulates pesticide use and application; certifies organically produced products; administers the National School Lunch and School Breakfast programs; provides financial help to farmers; and helps solve issues related to natural disasters. Current salary: \$140,938

» QUESTIONS TO CANDIDATES

Inflation: What can be done to help Texas farmers face rising costs and supply chain disruptions?

Water Resources: As water resources become more scarce, what would you do to balance the needs of farmers and the growing demands of urban areas?

Opportunities: Should Texas diversify its agriculture to include cannabis, biofuels or other crops? Why or why not?

Priorities: What are the three most challenging issues for Texas farmers for the next four years, and what are your plans for dealing with number one on your list?

» Sid Miller (R)

No response received by the print deadline



» Susan Hays (D)

Inflation: Accurate analysis of supply-chain choke points followed by government action to alleviate them. For example, the meat packing industry is a Wall Street-driven, near-monopoly with ranchers having to pay to reserve time to process their cattle. I will aggressively draw down federal dollars to help Texas

entrepreneurs open and expand local operations which will in turn keep those profits in Texas.

Water Resources: The Republicans have failed to even try to solve this problem. The Department of Agriculture (TDA) can research & promote sustainable practices and less-thirsty crops, but must work across agencies such as the Land Office, the Water Development Board, local water districts, & others, and with the Legislature for a comprehensive state plan to protect water quality and supply. Opportunities: Yes. As a cannabis attorney I understand the best way to legalize & regulate to protect public health & safety giving Texans an opportunity to share in the economic opportunity. Texas ag can flourish by growing more fruits, vegetables & high-value crops. California produces more than 70% of U.S. fruits and vegetables — too many eggs in one basket. We need to diversify & support

Priorities: Economic survival, rural health care, & climate change—and they are intertwined. I will look for opportunities, analyze the data, advocate to the USDA to change counter-productive policies, and help producers find a path to prosperity and environmental sustainability. Failing rural hospitals are an existential threat to rural communities. Texas must expand Medicaid to

Campaign Website: https://www.hays4ag.com/

RAILROAD **COMMISSIONER**

Six-year term. The Railroad Commissioner is one of the three-member Texas Railroad Commission. The commission regulates the oil and gas industry, gas utilities, pipeline safety, safety in the liquefied petroleum gas industry and surface coal and uranium mining. It has no regulatory authority concerning railroads. Current salary: \$140,937

» QUESTIONS TO CANDIDATES

Natural Gas Facility Weatherization: What further changes, if any, are needed to ensure that Texas has sufficient power in times of extreme weather

Emissions: How important is the impact of methane emissions on climate change? What are effective ways to reduce methane emissions in the oil and gas industry?

Seismic Activity: How can the Railroad Commission reduce the risk of seismic activity or earthquakes caused by water disposal from oil and gas drilling?

Ethics: Since candidates for Railroad Commission often raise money from the oil and gas industry, how can citizens be assured that campaign donations will not influence how commissioners regulate that industry?

Emissions: Oil and gas production and a clean environment are not mutually exclusive; the six-major pollutants regulated by the EPA have decreased by

77% over the last 50 years. The current Administration's methane rule and nat-

ural gas tax could shut down oil and gas production in Texas which would kill

jobs, harm our economy, increase costs to consumers, and reduce the reliability

Seismic Activity: The RRC has in place some of the most stringent rules on disposal wells — the type of wells some link to earthquakes — in the country.



» Wayne Christian (R)

Natural Gas Facility Weatherization: During Winter Storm Uri, wind generated less than 6% of our electricity despite averaging 23% during 2020. Natural gas generated 67% of our electricity during the storm despite averaging only 46% in 2020. The RRC has designated natural gas facilities as critical

during energy emergencies and put in place weatherization requirements to ensure even better performance in future.

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Infact, Obama's EPA stated in a report that the Railroad Commission is "com-

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of our grid.

RAILROAD COMMISSIONER | (continued)

» Wayne Christian (R) (continued)

mended for establishing new regulations specific to seismicity, including solidifying RRC authority to take appropriate action related to injection well operations."

Ethics: I have never allowed a political contribution to influence my decisions in

elected office. I have followed all Texas Ethics Commission rules regarding when I can accept contributions and have in full transparency reported every contribution I have received. I have never received an ethics complaint or violation as Railroad Commissioner.

Campaign Website: https://ChristianForTexas.com



» Luke Warford (D)

Natural Gas Facility Weatherization: Strengthening our energy infrastructure is my number one priority because it is unconscionable that Texans have to live in fear that their power will go out the next time it gets cold. I will establish a clear, substantive, and enforceable weatherization standard, identify critical gas

producers, and ensure preparations for the next major storm are actually completed. **Emissions:** Methane emissions play a large role in climate change, and the Railroad Commission has a tremendous capacity to address climate change by reducing methane emissions while strengthening the Texas economy. I will accomplish this by enforcing existing regulations, limiting the number of flaring exemptions the Commission grants, identifying and plugging methane leaks, and capping orphaned wells.

Seismic Activity: The Railroad Commission's lackluster approach is responsible for the recent increase in seismicity in West Texas. And now, their response to what is happening is unscientific and out-of-touch with the realities on the ground. The Commission should work with affected communities and experts in the water disposal industry to develop a science-based response to the increase in seismic activity.

Ethics: My only priority will be to serve the people of Texas. This job is too important, and the stakes are too high to be influenced by the oil and gas executives we're supposed to be regulating. Last winter's storm is a prime example, where over 700 people lost their lives because the Commission failed to hold the gas producers that fund their campaigns accountable.

Campaign Website: https://lukewarford.com



» Jaime Andres Díez (L)

Natural Gas Facility Weatherization: The RRC has taken good steps to fix issues concerning critical infrastructures designations with ERCOT and weatherization requirements. However, there continues to be issues with data management, transparency, and with outlining how they will deal with repeat

non-compliance. Regarding repeat weatherization non-compliance, I think the RRC should consider waiving the maximum fine of \$1 million.

Emissions: Reducing methane is the most effective strategy for dealing with climate change. Imposing restriction on flaring will reduce methane in TX, but will increase overall methane emission. Flaring/barrel in TX is amongst the lowest in the world. Flaring restrictions will cause forced closure of wells and increases in foreign (less-green) extraction. Solution: Bitcoin mining pays operators to not flare

Seismic Activity: There's no one-size-fits-all-solution since seismic activity resulting from water disposal varies greatly due to local geologic formations. However, the RRC must recognize that local entities have a disproportionate share of the risks and limited \$ benefit. I would favor moving authority downwards to allow local officials, who are more responsive to local voters, to determine the risk/trade-offs.

Ethics: I pledge that I will only serve one term. Once elected on November 8th, I will stop fundraising. Also, if it ever comes up that as Commissioner I need to vote on an issue that pertains to some donor or associate, then I will recuse myself from that vote.

Campaign Website: https://www.vote4diez.com/



» Hunter Wayne Crow (G)

Natural Gas Facility Weatherization: I would recommend that we invest taxpayers money toward the development of Renewable Energy Technology such as wind, solar, geothermal, conservation and small-scale hydroelectric. Once we have one or more of these methods fully utilized. We would be able

to supply a vast amount of energy that would able to resolve the State of Texas current energy demands.

Emissions: Methane is the second most abundant anthropogenic GHG after carbon dioxide (CO2), accounting for about 20 percent of global emissions. Methane is more than 25 times as potent as carbon dioxide at trapping heat in the atmosphere. I will support the enactment of bans on hydraulic fracturing for natural gas and oil on the local, state and federal level and also ensure not further damage occurs.

Seismic Activity: I will support measures that will make Hydraulic fracturing in any form illegal. I will also support shutting down any drilling rig that would be considered to be located in unstable areas of Texas. I think if we ended the United States dependents on fossil fuels we would not have these problems any longer.

Ethics: I can't speak for the other candidate's but as the Green Party Nominee for the Texas Railroad Commission. I will say candidate's in my party are typical disallowed from accepting any PAC, Super-PAC, or corporate contributions. Most Voters do end up supporting Green Candidates due to them having no connections or ties to the oil and gas industry and among other things.

Campaign Website: https://sites.google.com/view/hunter-crow-for-txrrc2022 /home



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HOW TO SPOT DISINFORMATION ONLINE

1. CONSIDER THE SOURCE.

Does the URL look strange? Check the 'About' page on the website.

2. CHECK THE DATE.

Is the story old news? Sharing out-of-date information may not match current events.

3. CROSS CHECK INFORMATION.

Are reputable news sources reporting the same story?

4. READ PAST THE HEADLINE.

What's the whole story? Sometimes a headline doesn't match the content.

5. OUESTION EMOTIONALLY CHARGED CONTENT.

Disinformation intends to sow division by getting us angry or sad through images or memes.



DOS & DON'TS OF DISINFORMATION ON SOCIAL MEDIA

▼ DON'T CLICK OR SHARE.

If you quote the bad information, you help spread it.

✓ DO SHARE ACCURATE INFORMATION.

Without mentioning the wrong info, set the record straight by sharing the correct messages.

DON'T ENGAGE PUBLICLY.

If someone you know is sharing bad info, message them privately & ask them to take it down.

✓ DO REPORT & BLOCK.

Report inaccurate info to social media platforms, group administrators & election officials. Block users you don't know who share mis or disinformation.



JUSTICE, TEXAS SUPREME COURT

Six-year term. A justice is one of the nine-member Supreme Court, which issues final decisions on civil and juvenile appeals, issues certain orders to governmental officials to act and to individuals to appear before the court, and has jurisdiction over orders or judgments of trial courts, if the Supreme Court determines them important to the jurisprudence of the state. Current salary range: \$168,000 to \$201,600

» QUESTIONS TO CANDIDATES

Ethics: Since judicial candidates solicit donations and raise money to be elected, how can voters be assured that campaign donations will not impact how judges interpret the law and/or review lower court decisions?

Standards: Texas requires that candidates for this Court be licensed in Texas for at least 10 years and have no suspensions or revocations in that time. What are the positive and negative impacts of this requirement?

Equity: What can be done to improve access to justice for all, including persons or groups who may be underserved?

Other Issues: What issues do you believe will be the most pressing for the Texas Supreme Court?

» PLACE 3



» Debra Lehrmann (R)

Ethics: As Senior Justice on the Supreme Court of Texas, & after many years of judicial service, I have a proven record of fairly and impartially applying the law in every case. It is critical that we consistently & rigorously apply the rule of law across the board, to supporters and non-supporters alike. The risk di-

minishes when judges employ sound & stable methods, as I have for many years. **Standards:** This Constitutional Amendment raised the basic minimum requirements for this office. Because Texans deserve a high-quality judiciary, these standards are essential. But, they are not rigorous enough. I have over 3 decades of judicial experience & have received many awards for exemplary judicial service. Lawyers & non-lawyers have recognized my scholarly, consistent & responsible approach.

Equity: If justice is denied to one individual, it is denied to all. During my tenure on the Court, we have made great progress in improving access to justice for all persons, regardless of financial means. We have devoted much time & effort towards increasing public & private support for expanded representation of underprivileged Texans. Proud of these efforts, I intend to expand upon this work.

Other Issues: Regardless of the subject matter, enforcing the rule of law in a consistent, scholarly, methodical, impartial & fair manner is of utmost importance. As the overseer of the 3rd branch of government, the Court must also ensure that rules governing our court system, and members of the Bar & Judiciary, serve the public in an efficient and just manner. These Court responsibilities are essential.

Campaign Website: https://Justicedebralehrmann.com



» Erin A. Nowell (D)

Ethics: It is incumbent on judges to conduct themselves in a manner that leaves no doubt as to their integrity and fairness. Judges should take steps to avoid both impropriety and the 'appearance' of impropriety. This could include not soliciting campaign donations from individuals with cases pending before them

and/or recusing themselves from hearing cases where a ruling could be questioned. **Standards:** Licensing and conduct requirements help to ensure that the individuals elected to be judges have the requisite experience and character to serve the individuals in their courtrooms. The only negative impact of this requirement may be the exclusion of candidates with extensive practice outside the state of Texas. Nonetheless, these qualifications help instill faith in the judiciary.

Equity: First, we need to increase the individuals in the pipeline who are available and willing to assist those in underrepresented communities – in every level of the judicial system. We also need to support (with both work and money) programs and initiatives that seek to provide equal justice access for all. **Other Issues:** The U.S. Supreme Court has increasingly divested itself of jurisdiction over issues it has determined belong to the individual states. Examples include gerrymandering, voting rights, and a woman's right to bodily autonomy. Accordingly, these issues will continue to arise within our state courts. As new laws are passed, interpreted, and even contested, the Texas Supreme Court will be

Campaign Website: https://www.justicenowell.com



» Thomas Edward Oxford (L)

Ethics: They cannot, we see evidence of justice for sale on a regular basis.

Standards: The positive is obvious, we need experience on the bench. The negative is the clear restriction on the rights of voters to make the decision without arbitrary restrictions.

Equity: We must continue to support and improve the IOLTA program and the pro bono efforts of the local bar associations.

Other Issues: The Jury system has been under attack in Texas for years. Powerful special interest groups have funded judges who believe they are in a better position than juries to decide questions of fact. We must continue to push for a system in which judges decide questions of law and juries decide questions of fact.



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the forum.

JUSTICE, TEXAS SUPREME COURT | (continued)

» PLACE 5



» Rebeca Huddle (R)

Ethics: I have authored over 400 reasoned judicial opinions. This body of work demonstrates my fidelity to the rule of law. My opinions explain why I decided each case as I did and show that I apply the law fairly, in every case, regardless of who the parties or lawyers are or whether they contributed to my cam-

paign. My record also shows I have ruled against campaign contributors many, many times.

Standards: Supreme Court Justices should be experts in Texas law, with long experience. They must be persons of integrity and strong moral character, with sterling reputations. Texas's licensure requirements weed out unqualified candidates, and I support them. Their only negative impact is that lawyers who are new or have been disciplined cannot serve. But that is appropriate in my view.

Equity: The Court's Access to Justice Commission works to expand access to free legal services. More lawyers should volunteer pro bono (free) representation of poor Texans, and courts should encourage and recognize lawyers who do. Technology can also help. The Supreme Court now permits Zoom hearings in routine hearings, so Texans can participate in court proceedings without missing a day of work.

Other Issues: Court backlogs are a pressing issue in some big-city trial courts. If criminal judges don't move dockets, dangerous offenders roam the streets instead of facing punishment. If civil judges don't move dockets, Texas families and businesses wait too long for resolution. I believe Texas judges must always be accountable to the people and dispose of cases responsibly, but as promptly as possible.

Campaign Website: https://www.rebecahuddle.com



» Amanda Reichek (D)

Ethics: While there is always the possibility of influence, strict limitations on judicial campaign contributions along with campaign finance disclosure requirements provide safeguards against abuse. This possibility is also why it is imperative that we elect and retain judges with unimpeachable integrity and a

demonstrated commitment to fair play and their oath of office.

Standards: The positive to this requirement is that in theory it is designed to ensure a qualified judiciary. The negative is that in practice it doesn't. Many at-

torneys have practiced over 10 years and have never been inside a courtroom, and many have practiced fewer than ten years and have more courtroom experience than some attorneys see in a lifetime. But disciplinary requirements ensure integrity.

Equity: Increased access to pro bono services, more funding and resources available for legal aid organizations, simplifying the filing process, and removing other artificial barriers to accessing the legal system.

Other Issues: A slew of "hot button" issues that implicate some of our most basic liberties which counsels quick resolution, but at the same time are emotionally-charged and complicated.

» PLACE 9



» Evan Young (R)

Ethics: First, all Supreme Court decisions are published, so our rulings can be tested for consistency, legitimacy, and sound reasoning. Second, the Judicial Campaign Fairness Act strictly limits how much judicial candidates can receive from individuals, firms, and PACs. No source can be more than a small percentage of a ju-

dicial campaign's funds, which helps reduce even the appearance of undue influence. **Standards**: Texas deserves the highest quality judiciary. These basic standards, which the voters wisely approved by constitutional amendment, promote competence. One risk, though, is that some voters may assume that anyone who meets these minimum requirements is automatically qualified. Longevity and a lack of formal discipline is not enough. Voters must remain fully engaged to elect the best Justices.

Equity: Ensuring open courts is fundamental to public confidence in our judiciary and to protecting individual rights. The Access to Justice Commission, Texas Legislature, and Texas Supreme Court have made great progress in marshaling public and private support and resources for expanded representation of underprivileged Texans and making judicial proceedings more efficient, comprehensible, and fair.

Other Issues: Among its most pressing work, the Supreme Court must ensure, even in times of crisis, and without fear or favor, that the U.S. and Texas Constitutions' limits are respected—the lines between different branches of government, between the state and local governments, and between government power and individual liberty. The Court must make sure that the law is followed, wholly aside from politics.

Campaign Website: https://JusticeEvanYoung.com



» Julia Maldonado (D)

Ethics: In my case, I know that my obligation is to follow the law and to serve all of the residents of the state without regard of any campaign donations made to my campaign. As a district judge, I have a record of integrity and ethics that will continue when elected to the Supreme Court, I have never allowed

any campaign donation to influence my decisions which are always in accordance with the law.

Standards: The positive impacts are, the experience practicing, learning about different areas of the law and improving professionally. It is important that the judges, charged with the interpretation of the laws have the utmost ethical behavior and no record of misconduct. The negative impact regarding the

length of time is that young lawyers are unable to participate at this level of the judiciary.

Equity: Increase funds for nonprofits who provide services for low-income Texans, ensure that there are educational materials in different languages regarding the court processes. Motivate big firms to provide pro bono services and create partnerships with law schools so that law students can hone their skills while providing much needed legal help under the supervision of their professors.

Other Issues: Equity and access to justice are two of the most pressing issues. We have to ensure that the rights of every Texan are protected and that everyone, regardless of their socio-economic status, has access to justice. The justices have to ensure that Texans feel confident with the Court's actions at all times.

Campaign Website: https://www.maldonadofortexas.com

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» VOTING FOR JUDGES IN TEXAS



Although in some states, judges are appointed, in Texas most judges are elected.

Judges make decisions about fundamental issues that affect all of us such as family life, education, healt care, housing, employment, finances, discrimination, civil rights, public safety, and government actions. It is critical that our judges make fair decisions based upon open-minded and unbiased consideration of the facts and the law in each case. Judges must know the law and not be influenced by any external political and economic factors.

How is the Texas court system organized?

The Texas court system is made up of a statewide network of trial courts and appellate courts. In trial courts, judges and/or juries evaluate the facts and the law and make a decision in a civil or criminal legal dispute. When decisions in most trial courts are appealed, they are sent to an appellate court where judges consider what happened at the trial court, evaluate legal arguments, and then decide if a mistake was made.

See https://www.txcourts.gov/media/about-texas-courts/ for more information.

JUDGE, TEXAS COURT OF CRIMINAL APPEALS

Six-year term. A member of the nine-member court which has final judgment in all criminal cases. The court must review all cases in which the death penalty is assessed. It also exercises discretionary review in other criminal cases and issues orders to government officials to act and individuals to appear before the court. Current salary range: \$168,000 to \$201,600

» QUESTIONS TO CANDIDATES

Ethics: Since judicial candidates solicit donations and raise money to be elected, how can voters be assured that campaign donations will not impact how judges interpret the law and/or review lower court decisions?

Philosophy: What is your judicial philosophy?

Standards: Texas requires that candidates for this Court be licensed in Texas for at least 10 years and have no suspensions or revocations in that time. What are the positive and negative impacts of this requirement?

Equity: What can be done to improve access to justice for all, including persons or groups who may be underserved?

» PLACE 2

» Mary Lou Keel (R)

Unopposed

» PLACE 5

» Scott Walker (R)

No response received by the print deadline



» Dana Huffman (D)

Ethics: The judicial conduct commission and the oath taken hopefully provide assurances that donations will not affect legal interpretation(s).

Philosophy: To see that justice is done.

Standards: Positive: ensures that a candidate has substantial

years of legal experience needed. Negative: Some attorneys may have accumu-

lated more practical experience specific to their bench than another attorney who has practiced longer but not necessarily in matters specific to the court.

Equity: More access to pro bono representation as well as access to language lines that cover all languages at every proceeding

Campaign Website: https://judgehuffman.com/home-1



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JUDGE, TEXAS COURT OF CRIMINAL APPEALS | (cont.)

» PLACE 6



» Jesse F. McClure, III (R)

Ethics: Judges take an oath to rule impartially, and should remove themselves from a case when they cannot. Voters should educate themselves about all candidates for elected office, including judges, and evaluate their track records and campaign promises. Since I have not knowingly received campaign money from a party ap-

pearing before me, voters can be sure that contributions have not influenced me. Philosophy: I follow the text of the constitutional provision or statute in question. It is rarely, if ever, proper for a judge to depart from the plain, original public meaning of the text. When dealing with "non-textual" issues, I strive to bring common sense to my decision making, always keeping in mind that vindicating the rights of the citizen is paramount.

Standards: The positive impact of the requirement is that it helps promote experience (and ethical conduct) so that Judges have sufficient experience in the law before making very important decisions that effect the life and liberty of the litigants before the Court. The negative impact could be that a very qualified, but relatively inexperienced lawyer is unable to join this Court.

Equity: In the criminal justice system, indigent defendants at the trial court level are appointed counsel, and we need to ensure that such counsel are competent, fairly compensated, and have reasonable caseloads. In the civil system, other states have experimented with allowing non-lawyers to handle certain matters - an innovation worth evaluating to allow greater access to Texas

Campaign Website: https://VotejudgeJesse.com



» Robert Johnson (D)

Ethics: The truth? There is no way voters can be one hundred percent certain campaign donations will not impact judicial decisions. That's why I favor a system that provides for equal public funding for judicial elections, just as I support a nonpartisan judiciary. A judge's decision should be based on legal

precedent. If you vote for me, I promise to decide cases according to the law. Philosophy: My judicial philosophy can be summed up in three words: Less is more. The less a judge attempts to impose his or her will on judicial decision making the more consistent our application of the law will be. Ultimately, this job is not about me or my opponent. This job is about you and all of our fellow Texans. I will remain focused on upholding the letter and spirit of the law as it is written.

Standards: The Court of Criminal Appeals is the highest appellate court in the state concerning criminal matters. This court hears only criminal cases. Judges who serve on the highest criminal court should also have the highest level of experience in practicing criminal law. I have, nearly, two decades of criminal law experience. While ten years is adequate, I believe two decades is better. Equity: I believe our State Bar has set high standards for the representation of indigent and underserved persons/ communities, but we can do more. We should incentivize pro bono legal services for large law firms by providing discounted bar dues and continuing legal education fees for those who show a set minimum number of indigent defense hours. Our justice system is only as fair as it is

Campaign Website: https://www.judgerobertjohnson.com





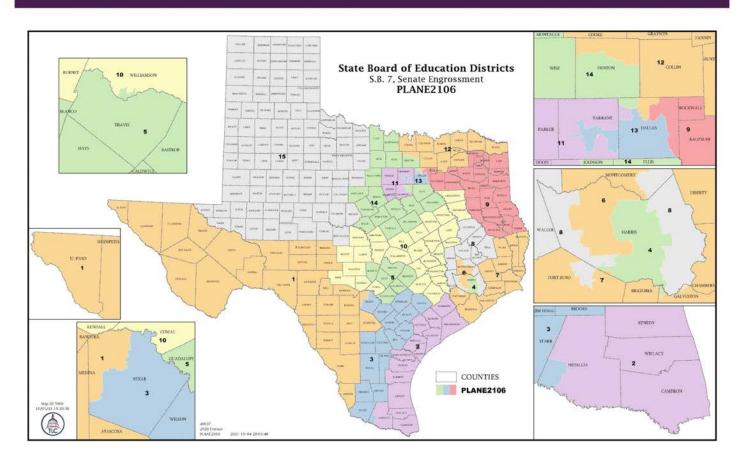
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STATE BOARD OF EDUCATION

Four-year term. The fifteen-member board decides curriculum, standards, student testing, special education programs, and textbooks for Texas public schools. It also oversees the Permanent School Fund. Members of the board are not paid, but receive reimbursement for expenses incurred in the course of official business.



» QUESTIONS TO CANDIDATES

Charter Schools: What is the impact of independent charter schools on the funding for local public schools? And is there anything you would do to change that impact?

Inclusive Education: As the developer of Texas public school curriculum, how would you ensure a comprehensive history education that addresses the needs of all students?

Teacher Certification: Are you in favor of replacing the current teacher exam process? Why or why not?

Other Issues: What other issues do you believe will be the most pressing for the State Board of Education?

» DISTRICT 1



» Michael Stevens (R)

Charter Schools: In order to negate the financial impact of charter schools, two things need to be changed. First, the SBOE must increase the rigor of their vetting process, to ensure that pop up schools are not approved. Secondly, in order to keep schools fully funded, we need to fund them based off of their

enrollment numbers and not based on average daily attendance.

Inclusive Education: In order to ensure a comprehensive history education that addresses the needs of all students, I would advocate for a Social Studies curriculum that is based on historical factual evidence. Additionally, I would sup-

port curriculum that provided students with an overview of our nations history from the perspective of all those who were part of that history, not just a Eurocentric point of view.

Teacher Certification: Yes, I am in favor of replacing the current teacher exam process. The current exam process should be streamlined to test a candidate over scenarios that are directly applicable to the grade level they want to teach. **Other Issues:** The SBOE needs to consider removing STAAR testing as a requirement for graduation.

Campaign Website: https://Votedrstevens.com



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» Melissa N. Ortega (D)

Charter Schools: Independent charter schools divert crucial resources away from public schools. Charter schools do not have public oversight of how money is spent & are not held accountable and to the same standards as public ISD's. I would work to ensure that compliance with state quality standards,

governance requirements, and financial accountability is created, monitored & held to the same standards as ISD's

Inclusive Education: History should be taught to incorporate diverse perspectives and acknowledge that historical events are affected by race, ethnicity, culture, religion, education, gender, gender identity, sexual orientation, disability, and personal experiences. An effective history builds on students' capacity for research, reasoning, generating logical arguments, and critical thinking.

Teacher Certification: I support measures to ensure that Teachers are highly qualified SBEC certified. Being a certified SBEC teacher means that a teacher has undergone the rigorous process of completing an approved Texas Educator Preparation Program sanctioned by the state of Texas. When working with students, standards for the teaching profession must be at the highest level and sanctioned by the state.

Other Issues: Other issues that are most pressing will be to create significant efforts for teacher retention, and solutions to our state's test-based accountability system. Class size limits need to be re-evaluated, and a more inclusive curriculum that focuses on the social emotional learning needs of our students need to be in place.

Campaign Website: https://www.drmelissaortega4txsboel.com/

» DISTRICT 2

» LJ Francis (R)

No response received by the print deadline

» Victor Perez (D)

No response received by the print deadline

» DISTRICT 3



» Ken Morrow (R)

Charter Schools: Charter schools have a positive impact by creating competition and alternatives to Public Schools, but they are still regulated by SBOE.

Inclusive Education: Truth should be taught. We do not need to re-write history. We need to teach world history, US

History and Texas History with the truth about our History. We were founded as a Christian nation. Slavery and Domination of the American indians was an awful chapter in our countries history. Other countries have been far worse. We were one of the first countries to ban slavery. America is exceptional!

Teacher Certification: I dont feel adequately informed on this issue to respond. I want qualified, caring teachers to teach our children to be life-long learners.

Other Issues: Isssues I believe will be relevant. School safety is a priority, I think the Guardian plan has merit. CRT has no place in Texas Schools. Boys are boys, Girls are Girls. No confusion should be allowed in locker rooms, bathrooms, or in sports.

Campaign Website: https://Kengmorrow.com



» Marisa B. Perez-Diaz (D)

Charter Schools: Because charter schools receive state funding based on ADA, but no local tax revenue, the fiscal impact on traditional public schools varies depending on location of the charter school. More pertinent is the unilateral authority the Commissioner of Education has on the expansion approval

of charter schools. The over saturation of charter schools in communities leads to more serious funding impact.

Inclusive Education: I will continue to work with subject matter experts (K12 practitioners and historians) who would: a) contribute content that is diverse in representation (i.e. individuals, communities, and events that have been absent in standards but have played pivotal roles in the history of the US); b) provide guidance about pedagogy, methodology, and content for implementation considerations.

Teacher Certification: At a time when teacher recruitment and retention efforts are in dire straits, it would not make any sense to move forward with a full-on replacement of the exam process which could potentially establish additional barriers to classroom teaching. That said, I would support an updating of the certification process, specifically regarding the expectation of pre-service classroom time.

Other Issues: The SBOE will continue to approve standards for K-12 curriculum, which should be influenced by facts, peer reviewed research, and inclusivity. Additionally, major responsibility for the PSF has moved to a corporation, currently comprised of 5 SBOE members & 3 governor appointed individuals. That governing body must continue to require 5 elected SBOE members for continued democratic representation.

Campaign Website: https://www.marisabperez.com

» DISTRICT 4

» Staci Childs (D)

Unopposed

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LWY

» DISTRICT 5



» Perla Muñoz Hopkins (R)

Charter Schools: As a parent & certified teacher all I know is public school. The impact of charter schools increasing in number is largely due to the lack of valuable resources & parental rights. Raising the bar, strengthening the curriculum standards, & recommending the most educational texts will ensure a quality public

education. I support parents' choice because we all want what's best for our children. Inclusive Education: As a multi-ethnic & retired military family, my diverse children being taught proper Reading, Writing, Science, Math, Civics & History is crucial for their success. Inclusive Education should never involve identity politics & personal agendas. The SS TEKS need revision, I recommend subject matter experts & work groups that include SBOE observers to provide the best framework, scope & sequence.

Teacher Certification: Teachers have a lot on their plate, especially in our current education climate. The SBOE opposed the EdTPA contract, and I agree with the decision, because the proposed substitute certification tests used by SBEC are not as comprehensive or desirable as the existing exams. As a teacher in TX, the current certification exams I took were rigorous & rendered the proper measurement & evaluation.

Other Issues: Communication & transparency with constituents & parents is a must & adheres to Ed Code Ch 26 Parental Rights & Responsibilities. Adopting engaging & high-quality materials & establishing curriculum standards centered on instruction that promotes a growth mindset & essential skills in Reading, Writing, Math, Science & Civics lends to meaningful learning & helps a child reach their American Dream!

Campaign Website: https://www.PerlaHopkins.com



» Rebecca Bell-Metereau (D)

Charter Schools: Most charter schools take in money from tax payer funding for education that goes out of state, and they enroll significantly fewer special ed students with serious disabilities than traditional public schools do. Washington Post notes that "Rocketship has a narrow curriculum" on "reading,

math, and test prep," and teachers are not prepared, with high turnover. Texas policy favors them unfairly.

Inclusive Education: Teachers trained in inclusive education should make those decisions, and the state should fund schools well, in order to help all of our students. We have tried on the board to include all students, but the Republicans blocked our efforts to find a compromise on history curriculum, voting to put off having a review of the curriculum until after 2025, so we're operating on outdated biased history.

Teacher Certification: The current certification needs improvement, but I voted to put off making training more difficult because of the teacher shortage. Once we have more teachers willing to teach, we should revisit plans to change to a more rigorous certification system. For the time being, we need to allow multiple ways to qualify for certification; we shouldn't punish teachers who stop teaching out of necessity.

Other Issues: The influence of radical groups that disrupt the process of curriculum revision, without studying the changes being proposed, are a big problem. They fixate on a few items that they dislike and then manage to flood emails, testimony and meetings, convincing some to toss out curriculum created by hardworking teachers who volunteer their time and expertise. This discourages future volunteers.

Campaign Website: https://voterebecca.com/

» DISTRICT 6



» Will Hickman (R)

Charter Schools: I am in favor of school choice. Any student who is not present in class in their local ISD school reduces the funding for that school, whether they are absent, home school, private school, charter school, or somewhere else. We need to ensure that local ISD schools are the best education option for the families in the area.

Inclusive Education: I drafted and the SBOE adopted a new K-8 social studies framework that has two years of world, US, and Texas history in grades 3-8, as well as enhanced K-2 content. We will work with work groups to prepare K-12 social studies TEKS to prepare all Texas students for their future.

Teacher Certification: Yes, although I joined all of my SBOE colleagues in vetoing the new edTPA exam, I have not talked to anyone who loves the PPR. I am in favor of multiple high quality portfolio exam options, and increased accountability for low quality alt-cert providers.

Other Issues: The most important issue for me is Texas 60% CCMR numbers. I have chaired the ad-hoc Flight Plan committee which is updating the TEKS for a new flight plan course to replace the existing career exploration and college prep courses. A flight plan is essentially an IEP for every child. Please reach out if you would like more details willhickmancampaign.com

Campaign Website: http://willhickmancampaign.com



» Michelle Palmer (D)

Charter Schools: Charter schools receive substantially more money per student than public schools. In addition, the average charter school has MANY fewer special education students than the local public schools in their neighborhood. I would vote against approval of any new charters school applications

that come before the Board until the rules have changed to make it more equitable **Inclusive Education**: As a history and government teacher, I try to bring in other perspectives to every unit. Every student in Texas deserves to see their ancestors represented in the curriculum taught in Texas classrooms. I would bring in diverse teachers and historians to help develop the curriculum and vote FOR their changes.

Teacher Certification: I don't believe the test is a good indicator of preparation for the classroom. However, The suggested portfolio is classist. It is too extreme and would cost several thousand dollars to complete. Perhaps a scaled-down version that would do more to show preparation for the classroom but not exclude so many people would be best.

Other Issues: The social studies curriculum approval being put off until 2025 is a huge problem. In addition, the science curriculum needs to include climate change and we need comprehensive see education in our health classes and Health needs to be a required class to graduate in every district in the state not just those that choose it.

Campaign Website: http://palmerfortexased.com



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» DISTRICT 7

» Julie Pickren (R)

No response received by the print deadline



» Dan Hochman (D)

Charter Schools: Voucher programs would siphon away funding for public education to charter schools, which spend more on administration but pay teachers less. Charter schools also are not required to educate students with disabilities, do not require teacher certification, and may close with little no-

tice. I support policies that have for-profit schools be paid for by parents who choose to go that route.

Inclusive Education: Every student needs to learn the truth when it comes to historical events, including facts that may be difficult or challenging. Otherwise, we are doomed to repeat the mistakes of the past. For example, there have been proposals in Texas to teach an "opposing view" of the Holocaust; to me, there is no alternative explanation to the facts that led up to this mass murder event.

Teacher Certification: Yes. The current exam, the Pedagogy and Professional Responsibilities exam, is not an adequate test of a new teacher's potential. I support an alternative approach, including more comprehensive teacher training requirements and an improved exam. I feel strongly that a new exam should not be more expensive than the current process, as these costs may create a barrier to entering the profession.

Other Issues: Over the last decade, when adjusted for cost-of-living, Texas spending dropped to a little over \$8,000 per student, with Texas ranked 48th out of 50 states. Multiple studies reveal that there is a direct link between perpupil spending and student achievement. Teachers also need to be paid a fair salary that reflects countless hours of hard work of degreed and highly trained professionals.

Campaign Website: https://hochmanforsboe.com



» Alan Pyeatt (L)

Charter Schools: As parents seek alternatives to public schools, especially in the wake of the Uvalde shooting and other events, the costs for public schools is clearly reduced. As a result, we would expect the public school revenues to reflect that decrease in costs. **Inclusive Education:** IMHO, our country is experiencing

turmoil because we have forgotten our founding philosophy. It is not enough to know that our Founders rooted our government in the theories of John Locke and Algernon Sidney, if we do not know, for example, the goal of government, or what Locke said are the government's three legitimate functions. I intend to ensure that their actual philosophy is taught.

Teacher Certification: I have not yet reached a conclusion on this matter. **Other Issues:** I believe that it is vital to learn critical thinking skills in school. As a result, I will advocate that every high school student be required to pass a course in applied logic before graduation.

Campaign Website: https://www.electpyeatt.com

» DISTRICT 8



» Audrey Young (R)

Charter Schools: Public charter schools do not draw property tax funds. Funding for traditional schools allows for the collection of property taxes. The additional per-pupil allocation by the state for charter schools assists in covering the gap in funding. Charters are a choice for parents and students along

with private and homeschool. Each educational choice has its own impact within a community.

Inclusive Education: The SBOE oversees the Texas Essential Knowledge and Skills by which instructional materials (curriculum) is developed. Local school

districts have the legislative right to adopt the curriculum that best suits the needs of their students within the community.

Teacher Certification: No I am not in favor of adopting a national program for teacher certification. I am in favor of developing a program that is specific to Texas that sets high expectations, is implemented with fidelity, and aligns with T-TESS. **Other Issues:** Legislation, which previously removed the authority of the State Board to approve all instructional materials, should be re-written to require that all core content (Math, Science, ELAR, and Social Studies) curriculum MUST be adopted by the SBOE prior to district adoption.

Campaign Website: https://YoungSBOE.com



» Rhett Rosenquest Smith (L)

Charter Schools: Due to: schools becoming "targets of violence," Covid pandemic risk concerns, and financial (tax \$) restraints, Texas voters must re-think the funding of our public schools. Texas Libertarians support freedom and choice, and we believe that allowing funding to follow the school choice

that each student makes regarding their own well-being will provide the safest, healthiest, and wisest funding use.

Inclusive Education: Our campaign is supports developing curriculum in nontraditional languages, and curriculum re: Spanish Colonial history — late 18th century period (the American Revolution) and 19th century Mexican history

that's fundamental to understanding contemporary Texas. Also, millions of immigrants histories, Mexican, African, not forgetting indigenous Native American, Asian & Pacific Island history

Teacher Certification: Teacher exam process seems cumbersome; local decisions are better, if unnecessary bureaucracy can be eliminated we benefit **Other Issues:** Our campaign will work to provide a "community college (dualcredit) alternative" for every Texas student and family! However, if voters, citizens, and taxpayers like their traditional school system that was in place during this past year (and prefer to keep it) that will be an option, but I will work to disclose the tax dollars required to maintain an outdated educational framework

Campaign Website: https://rhettrsmith-txsboe.wixsite.com/my-site-l

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» DISTRICT 9

» Keven M. Ellis (R)

Unopposed

- » DISTRICT 10
- » Tom Maynard (R)

Unopposed

» DISTRICT 11



» Patricia "Pat" Hardy (R)

Charter Schools: There is a great deal of debate about the drain that charter schools have on the regular public school. Logic would tell you there is some drain causing me to be very selective as to which charters I support. When charters provide a unique reason for their existence such as a recent one specializing in Autism or

providing a choice in an area where there are only failing schools,, I will support. **Inclusive Education**: I contend that our SS standards currently ensure a comprehensive social studies education. The SBOE has made a concerted effort to do so. To add to that, we have two state approved electives in ethnic studies, Mexican American and African American Studies and working to add an American Indian Studies and Asian-American Studies within the next two years.

Teacher Certification: Yes. Apparently parts of the current test are weak. I favor working on improving the test but not creating such burdensome test that we lose good teacher prospects due to the cost or something that presents a tremendous time strain on the student teacher. This should be developed in a collaborative effort comprised of colleges of education with a successful track record.

Other Issues: The most pressing at this in time is the adding the civics requirements called for in SB3 into our current SS TEKS. The reviewing of upcoming legislation and possible effects on Texas public schools is time sensitive. Two ongoing responsibilities are assuring quality instructional materials aligned to our standards and reviewing of charter school applications.

Campaign Website: https://hardyforeducation.com/



» Luis Miguel Sifuentes (D)

Charter Schools: Because funding is based on student enrollment, as students move from public schools to charter schools, they take their student allotment with them at a time when our public schools need funding the most. Public schools are the backbone of our communities. I would advocate for eq-

uitable, fair and transparent funding of our schools.

Inclusive Education: As a former educator and social studies teacher, I became very familiar with the TEKS. As a general principle, curriculum and instructional material should be based on fact and inclusive of the good, the bad and the ugly. The SBOE should be inclusive curators of history, ensuring that the identities of all students are included, not just the identities of a few.

Teacher Certification: I am in favor of looking at our teacher certification more closely with a continuous improvement mindset. Jumping into a new exam process without fully vetting the new exam would be a mistake. We have to ensure that the new teacher exam is equitable and addresses the current issues.

Other Issues: The SBOE should work to ensure that they are transparent in their decision making while getting feedback from its customers: educators, parents, and students. I will work to ensure that the voices of parents, educators, and students are solicited and acted upon.

Campaign Website: https://www.LuisMiguelSifuentesforTexas.com

» DISTRICT 12

» Pam Little (R)

Charter Schools: Funding comes from the legislature not the State Board of Education. The SBOE has a veto over the recommendations from the Commissioner of Education. I prefer to see charter schools that fill a niche the public isd's do not.

Inclusive Education: The State Board only writes standards, not curriculum. It is up to the local school districts to determine the curriculum, i.e. how the standards are implemented. It is important that all our students have the opportunity to see themselves in our standards.

Teacher Certification: This is a decision made by the State Board of Education Certification not the State Board of Education. The SBOE has oversight of this board. The current certification is weak and should be replaced however an equitable certification should be investigated to get the best choice for our teachers. **Other Issues:** I believe the most pressing issue for the SBOE is to regain some authority over the instructional materials approcess. In 2011 SB6 diluted the SBOE oversight of instructional materials and at that point we started to see our scores spiral downward. Districts can now purchase whatever they want with or without SBOE approval. Assessment is another important issue however that is under the commiss



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» Alex Cornwallis (D)

Charter Schools: Charter schools cannot generate property tax revenue or hold bond elections to raise funding and, as a result, are fully funded by the state. Charters receive more per student from the state than public school districts and have double the operations costs compared to public schools. Yes, we now have a system that allows charter schools to grow, which is not sustainable.

Inclusive Education: Our history must not be changed or whitewashed. We should set an example for our children by telling them the truth and not hiding the facts.

Teacher Certification: Let us sit with the educators and listen to them first and find out what the barriers are in the current certification process. Then together, design a certification process that will be easily attainable and address the teacher shortage.

Other Issues: Funding our public school system is a significant issue. There are nontax funding sources at the state and federal levels that I will advocate tapping into to fix our public education crisis. This method of funding will not raise taxes.

Campaign Website: https://www.alexforeducation.com/

» Christy Mowrey (L)

Charter Schools: Charter schools receive less funding and spend an average of 2K less per student. Charter schools create competition and introduce innovation in education. I support any effort to give families more options and educational freedom, especially when it means less burden on the taxpayers.

Inclusive Education: History should be taught based on facts, not political opinions. I do not support teaching history through the lens of the oppressed or oppressor. The curriculum should be politically neutral, factual, and appropriate for the age level taught.

Teacher Certification: Due to the teacher shortgage, I would be in favor of al-

ternative options. The teacher exam should focus on the particular subject taught rather than a broad, sometimes trivial, set of questions. Teachers may be very strong and passionate in one area and weak in another. The ability to effectively teach, passion, and creativity are more important than passing an exam.

Other Issues: The State Board of Education will be faced with many difficult and controversial issues. Many members feel the need to appease their political party or special interests when it comes to making decisions. I'm held accountable to the families and children in my district. Every decision will be based solely on if it will benefit children and taxpayers and give more freedom and choice to parents.

Campaign Website: https://christymowrey.org

» DISTRICT 13



» Kathryn Monette (R)

Charter Schools: I don't think there is a financial impact taken away from local public schools. They receive less per child and it is up to the charter school to secure a building for teaching. Charter schools don't receive funds from local tax revenue, but they do receive private donations. Charter schools offer

families a choice in education and provide other options for students.

Inclusive Education: History is history regardless of culture or background.

The difference is choosing what parts to emphasize and expound on. I believe that all history needs to be taught equally. American exceptionalism should also be taught as well as the Constitution, the Bill of Rights, the Federalist Papers and

the Mayflower Compact. They should be taught fairly and non-partisan without political agendas.

Teacher Certification: The teacher exam process is important, but I think also a program like they have in Florida would be advantageous. Florida encourages veterans to be teachers and streamlines the process.

Other Issues: Education needs to be about teaching the core subjects of math, English, writing, science, music, reading, history and geography. All the social emotional learning of the day should be left to parents to teach instead of the schools. Teach character and respect for others instead. No sex ed under 6th grade of any kind in school. Parental rights and transparency of all teaching materials.

Campaign Website: https://KathrynMonette.org



» Aicha Davis (D)

Charter Schools: Please see my recent OpEd in the Fort Worth Telegram, titled "Charter schools' growth need review as it costs TX districts," discussing the funding impact for local isds // Inclusive Education: In my first term, I successfully led the adoption of African American Studies as a TEKS based course

available statewide, and now I'm leading Native American Studies. During the current social studies review, I've fought tirelessly for truth and inclusion in each of our courses. I work directly with diverse advocacy groups and experts to better incorporate the cultural richness of America,

Teacher Certification: I am in favor of an exam process that ensures teachers

have foundational skills to meet diverse student needs. I also believe exams should be financially supplemented to allow more opportunities to recruit teachers. I voted against EdTPA because of the dismal results in other states. I have concerns with language in the PPR, and look to develop more equitable ways to measure readiness. Other Issues: The SBOE has the responsibility of reviewing resources districts may adopt to accompany TEKS. The process has become extremely politicized, leading to the denial of any resources for elementary health TEKS last year. After the current social studies review, the SBOE will have to review new resources. Previous history books had inaccurate language and did not fairly represent women or minorities.

Campaign Website: https://www.aichadavis.com/



» DISTRICT 14



» Evelyn Brooks (R)

Charter Schools: The level of impact independent charter schools have on the funding for local public schools is not the same for each ISD community. Texas charter schools are open enrollment with no tuition. Charter schools receive state taxpayers' dollars but do not receive any local taxpayers' dollars. All parents have

the right to choose the type of educational environment they wish for their children. **Inclusive Education**: The motto "E Pluribus Unum" served as our nation's first motto meaning "Out of Many One." America's rich history encompasses many ethnicity groups and nationalities coming together to make America the great nation it is today, and should be taught interwoven as one historical strand, as opposed to being taught in separate courses based entirely on race. College courses offer ethnic studies.

Teacher Certification: I am not in favor of replacing the current teacher exam process, because the current process ensures that all teachers complete educational requirements, pass required teacher certification exams and pass a background check. Doctors, pilots, lawyers, and many other specialty professions require these same measures to ensure quality and competence. In all, I earned certification in four states.

Other Issues: I believe the most pressing issues for the State Board of Education will continue to be writing and setting superior academic curriculum standards that are free of political agendas and activism, with the focus of preparing a highly educated society with virtues once again. Of further concern is the Permanent School Fund's ability to guarantee school bonds.

Campaign Website: https://www.evelyn4texaseducation.com/



» Tracy Fisher (D)

Charter Schools: The impact of charters on local funding is monumental as all school funding comes from the same bucket, comprised of state and local taxes. Due to how the State has accommodated charters, they receive an average of \$1150 more per student/year than public schools. Their funding

comes without the accountability or oversight mandated to local schools. I will advocate for equity and accountability.

Inclusive Education: I will engage highly-qualified education professionals to review and confirm that the content addresses the needs of students from all backgrounds. I will ensure history experts review the current curriculum for complete historical accuracy. I am a fierce advocate for Texas parents, kids, and communities. I am the experienced candidate to prepare our kids for their world.

Teacher Certification: Yes, we need to recruit and build a pipeline of highly-qualified teachers. Their exam process should NOT be financially burdensome. Also, we need to implement an exam for charters. Currently, only 57% of our public ed teachers have degrees in education, and the remainder is alternately-certified. We know, on average, that alternatively-certified and charter teachers have higher turnover rates.

Other Issues: Additional pressing issues I've identified for SBOE: Keep politics out of education; Implement fewer high-priority learning standards to focus on deep learning and what is essential for our kids; Respect local control to meet the needs of all kids; Maintain veto power over new charters, and gain control over charter amendments; Ensure fiscal responsibility over the permanent school fund

Campaign Website: https://www.tracyfisherfortexas.com/

» DISTRICT 15

» Aaron Kinsey (R)

Unopposed

Poll Watchers Poll watchers must present documentation regarding their appointment, take an oath, and wear an ID badge issued by the election judge. Poll watchers can be appointed by one of three groups: A candidate A political party Proponents or opponents of a ballot measure (political action committees that have filed the appropriate paperwork)



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CHIEF JUSTICE AND JUSTICE, COURT OF APPEALS

Six-year term. Courts of Appeals hear appeals on civil and criminal cases from lower courts in their districts. Current salary for Chief Justice: \$187,800. Current salary for Justice: \$154,000 to \$184,800.



» TEXAS COURT OF APPEALS SERVES THE FOLLOWING TEXAS COUNTIES:

The 1st Court of Appeals: Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Grimes, Harris, Waller, and Washington

The 2nd Court of Appeals: Archer, Clay, Cooke, Denton, Hood, Jack, Montague, Parker, Tarrant, Wichita, Wise, and Young

The 3rd Court of Appeals: Bastrop, Bell, Blanco, Burnet, Caldwell, Coke, Comal, Concho, Fayette, Hays, Irion, Lampasas, Lee, Llano, McCulloch, Milam, Mills, Runnels, San Saba, Schleicher, Sterling, Tom Green, Travis, and Williamson

The 4th Court of Appeals: Atascosa, Bandera, Bexar, Brooks, Dimmit, Duval, Edwards, Frio, Gillespie, Guadalupe, Jim Hogg, Jim Wells, Karnes, Kendall, Kerr, Kimble, Kinney, La Salle, Mason, Maverick, McMullen, Medina, Menard, Real, Starr, Sutton, Uvalde, Val Verde, Webb, Wilson, Zapata, and Zavala

The 5th Court of Appeals: Collin, Dallas, Grayson, Hunt, Kaufman, and Rockwall

The 6th Court of Appeals: Bowie, Camp, Cass, Delta, Fannin, Franklin, Gregg, Harrison, Hopkins, Hunt, Lamar, Marion, Morris, Panola, Red River, Rusk, Titus, Upshur, and Wood

The 7th Court of Appeals: Armstrong, Bailey, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Deaf Smith, Dickens, Donley, Floyd, Foard, Garza, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Hemphill, Hockley, Hutchinson, Kent, King, Lamb, Lipscomb, Lubbock, Lynn,

Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Terry, Wheeler, Wilbarger, and Yoakum

The 8th Court of Appeals: Andrews, Brewster, Crane, Crockett, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reagan, Reeves, Terrell, Upton, Ward, and Winkler

The 9th Court of Appeals: Hardin, Jasper, Jefferson, Liberty, Montgomery, Newton, Orange, Polk, San Jacinto, and Tyler

The 10th Court of Appeals: Bosque, Brazos, Burleson, Coryell, Ellis, Falls, Freestone, Hamilton, Hill, Johnson, Leon, Limestone, Madison, McLennan, Navarro, Robertson, Somervell, and Walker

The 11th Court of Appeals: Baylor, Borden, Brown, Callahan, Coleman, Comanche, Dawson, Eastland, Ector, Erath, Fisher, Gaines, Glasscock, Haskell, Howard, Jones, Knox, Martin, Midland, Mitchell, Nolan, Palo Pinto, Scurry, Shackelford, Stephens, Stonewall, Taylor, and Throckmorton

The 12th Court of Appeals: Anderson, Angelina, Cherokee, Gregg, Henderson, Houston, Nacogdoches, Rains, Rusk, Sabine, San Augustine, Shelby, Smith, Trinity, Upshur, Van Zandt, and Wood

The 13th Court of Appeals: Aransas, Bee, Calhoun, Cameron, De Witt, Goliad, Gonzales, Hidalgo, Jackson, Kenedy, Kleberg, Lavaca, Live Oak, Matagorda, Nueces, Refugio, San Patricio, Victoria, Wharton, and Willacy

The 14th Court of Appeals: Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Grimes, Harris, Waller, and Washington

» See VOTE411.org to compare Court of Appeal candidates in your district.

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EMPOWERING VOTERS. DEFENDING DEMOCRACY.

The LWV is a nonpartisan political organization and is one of America's most trusted grassroots organizations! We aim to:

- · Achieve a free and fair democracy
- · Increase participation in government
- Expand voter participation in Texas
- Create a League that is diverse, equitable, and inclusive.



» TEXAS LOCAL LEAGUES

Learn more about our local Texas Leagues and how they help shape today's important issues by visiting lwvtexas.org.

Amarillo Austin Area Bay Area Baytown Brazos Valley Collin County Comal Area Cooke County Corpus Christi Cy-Fair Dallas

Denton El Paso Fort Bend County Hays County Hill Country Houston Irving Lubbock County Midland

Montgomery County Richardson

Rio Grande Valley San Antonio Area South Central Texas Southwest Texas Tarrant County

Tyler/Smith County Victoria Waco Area Wichita Falls Wilson County Williamson County



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Exhibit 110

From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene <gchimene@lwvtexas.org> [gchimene@lwvtexas.org]

Sent: 4/13/2022 9:28:18 AM

To: Laura Yeager [ljsydc@gmail.com]

CC: Heather Sheffield [heather@heathersheffield.com]; Dorothy Marchand [dmarchand@lwvtexas.org]

Subject: Re: who contact for Austin area candidate forum?

I don't know.

I suggest contacting Pam Bixby pbixby@lwvaustin.org

On Wed, Apr 13, 2022 at 7:10 AM Laura Yeager < lisydc@gmail.com> wrote:

Grace and Dorothy,

I'm writing to connect you to Heather Sheffield who is hoping to connect with someone at the Austin league to discuss a possible candidate forum. I should know who to contact, but I don't!

I'm a member...oops.

Heather is a fabulous education advocate, works with public ed, and is on the Eanes school board.

Please direct us to the proper contact for her inquiry at your earliest convenience.

Thanks so much,

Laura

--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

512-940-9948

Empowering Voters. Defending Democracy

Exhibit 111



A Guide to Candidates Forums For Local Leagues 2021 ©

League of Women Voters of Texas

1212 Guadalupe #107 Austin, TX 78701 512.472.1100 lwvtexas@lwvtexas.org www.lwvtexas.org

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Welcome

The League of Women Voters of Texas is a nonpartisan, grassroots civic organization that encourages informed and active participation in government. The League works to increase understanding of major public policy issues and influences public policy through education and advocacy. Membership in the League is open to people 16 and older of all gender identities. With 100 years of experience, the League is one of America's oldest and most trusted civic nonprofit organizations.

Nonpartisanship Policy

The League of Women Voters never supports or opposes any political party or political candidate.

Purpose and Goals

Candidate forums and debates are important venues for furthering the League's nonpartisanship mission. Forums sponsored by the LWV, or in which the LWV participates, must be nonpartisan and must ensure that all participating candidates will be treated fairly and equally.

The purpose of debates and forums is to educate the public about issues, allow face-to-face comparisons of the candidates and their positions, and stimulate and increase voter interest and participation in the election. The forum may address, but not be limited to, issues considered to be of important educational interest to the League and any co-sponsoring organizations. Issues of interest to the general public must be included.

A candidate **forum** is a live public meeting in which all the candidates for one or more offices present their views in short individual speeches, and then answer questions from the audience. A **debate** allows the candidates to appear concurrently, in face-to-face confrontations, with opportunities to respond to each other.

Additional information can be found at <u>LWVTexas.org</u> on the Voter Education page under League Management and at <u>LWV.org.</u> Sample invitations, forum guidelines and moderator scripts are provided in the Appendix. Also included is a Memorandum of Understanding template to be used when partnering with other organizations to host a forum. Your League may customize any of these materials, or develop your own.

If a situation related to a debate or forum arises that is not covered in this Guide, contact the state office, or the LWV Texas Chair, Voter Services.

Plan the Forum

Set the date

Choose a date after the filing deadline and before the start of early voting (if it is scheduled in your area) or before the election. These dates can be found on the Secretary of State's website <u>votetexas.gov</u>. The forum may be recorded and presented on YouTube, Facebook, Instagram and/or embedded on your website.

Choose forum platform

Determine whether your forum will be held in-person, using a virtual platform or a hybrid event.

 In-person: An in-person forum must be open and accessible to the public, so choose a place that will not seem to exclude some potential audience. Keep in mind the expected attendance, need for microphones or media equipment, and an appropriate staging area for the candidates and moderator. Check policies for food or beverages if you plan to have them available. Use the <u>Diversity Equity and</u> <u>Inclusion (DEI) Lens Events checklist</u> and the <u>Able-Bodied Privilege and Accessible</u> <u>Event Planning</u> to evaluate locations.

Check your League's insurance policy to be sure coverage is adequate or that a co-sponsor or the facility where the event is being held has sufficient coverage. Contact the LWV Texas if you require a co-sponsor.

- Online: Shifting to a virtual platform can be more inclusive and allow for greater attendance and participation. Choose a platform such as Zoom or Google Meet and educate yourself on its features, including capacity limits, how it integrates with other platforms and the options available for hosts, panelists, and participants to interact. Practice by running through the entire event with all participants, including the candidates. Consider closed captioning and/or translation options.
- Hybrid event: While hybrid events do have the advantage of having the panelists and moderators in the same room, they can result in added costs and technical challenges to the event.
- Other: Some Leagues have forums that are not done before a live audience, such as those recorded in a studio where only League members and the candidates are present. In this case, questions are typically gathered from the community prior to the event using social media.

Resource

 Zoom Best Practices and Sharing (Livestreaming) to Facebook (from the League of Women Voters of Florida)

Consider partnering with a co-sponsor

Co-sponsors must understand that the League cannot waive any of its nonpartisanship policies and procedures. Co-sponsors cannot have endorsed or been affiliated with a candidate or ballot issue, nor should they have any plans to make any future endorsements.

The League should take the lead in contacting the candidates, negotiating disputes, and controlling the format. The League should provide the moderator and timekeeper, or should approve of these in advance.

Co-sponsors may:

- Participate in planning, finding facilities, obtaining TV (perhaps says media since it could be radio, youtube, etc.) coverage, and providing publicity, volunteers and refreshments;
- Publicize the event in their newsletters and encourage attendance; and/or
- Contribute monetarily, but this is not required.

Consider delineating the responsibilities in writing in advance with the co-sponsoring organization(s).

Some groups that may be appropriate co-sponsors include, but are not limited to:

- Local chapter of NAACP, LULAC, AARP, or AAUW
- Chamber of Commerce
- PTA
- Neighborhood association
- Law enforcement association
- Civic club or organization
- Environmental organization or garden club.

In order to protect our nonpartisanship, political parties and political organizations should not be asked to co-sponsor because they have a vested interest in their candidates. It would be allowable to work with them in nonpartisan elections, such as city council or school board, but even then the League needs to avoid being linked with any one party. Any group whose leadership has made public statements for or against any candidate, that is known to support a candidate informally, or that advocates for an issue which is on the ballot, should not be asked to co-sponsor.

References:

Guidance for Leagues about Nonpartisanship and Partnerships
DEI Module 4: Understanding and Partnering With Your Community - Part 1
DEI Module 5: Understanding and Partnering With Your Community - Part 2

Fund your forum

Candidate forums, or public educational forums on public policy issues or ballot issues, are educational and do not advocate for a certain candidate or issue. Money from a League's general fund may be used, as well as donations from co-sponsoring organizations. Do not take or solicit donations from candidates or political parties. Do not sell ads for candidates or issues in any handouts or newsletters.

Determine which races to include

Local Leagues have responsibility for forums for U.S. Representative, State Senator and Representative, regional candidates (including State Board of Education and Courts of Appeals, subject to approval of LWV Texas), and for all local candidates. The <u>Voter Services Shared District Tracking List</u> identifies which League(s) have responsibility for each district. Leagues that share districts may consider co-sponsoring a candidates forum.

Forums affecting statewide offices should not be sponsored by local Leagues without LWVTX Board approval and co-sponsorship.

Consider how many contested races will be on the ballot in your area, and how many candidates are running in each. You may not be able to hold forums for every office. Or you may want to have several forums, either back-to-back on the same day, or on different dates. If possible, include all contested races for the same type of office – e.g., state representative – in the same forum.

- For general elections: Invite all candidates who will be on the ballot for each race included in the forum.
- For primary elections: Candidates running in different party primaries may be asked to appear in different forums, or they may be included in the same forum. You must also decide whether to include only the parties that have primary elections (the Republican and Democratic parties) or to include all parties recognized by the Secretary of State's Office, as well as declared independent and write-in candidates.

Make candidate selection decisions in a transparent, fair and reasonable way, using selection criteria established in advance by your board. It is also helpful to have criteria in place to deal with unexpected situations, such as last minute write-in candidates.

Check the Voter Education section of LWVTX Policies and Procedures Manual (found on the Publications page under League Management at <u>LWVTexas.org</u>) for the policies for Candidate Debates and Forums.

Consider the format and timing

Do you want to have opening/closing statements and Q&A, or an informal "meet and greet" or "candidate fair", where candidates can meet voters individually, talk to them, and hand out campaign information? It may be possible to combine a structured forum, with an informal "meet and greet" or reception before or after.

For a structured forum, plan on an introductory statement (often three to five minutes) and a closing statement (one to two minutes) from each candidate, and add that to the time for questions for each office. The forum should not exceed two hours.

Some Leagues give more questioning time to the higher offices; some do not include the Justices of the Peace and Constables, or just give them time for a short speech.

Decide how to ask questions

Do you want to have questions from the audience, from a panel and/or from a moderator? If you use a panel or moderator, they must have no previous relationship with any of the candidates. If you want questions from the audience, do you want to use written or oral questions? The pros and cons of each method are presented below, but on the whole, written questions provide much more control and allow a broader range of questions, but oral questions allow for livelier discussions. Consider the audience when choosing the method or perhaps a combination of methods.

It is not recommended that questions be shared with candidates prior to the event for the following reasons:

- Responses may have been written by someone else.
- It is informative to evaluate a candidate's ability to respond spontaneously, and to give organized and appropriate responses as would be required if elected to office.
- Candidates need a good working knowledge of the issues and duties of the office which they are seeking. Having the questions in advance may not provide an indication of such knowledge.

You may consider asking the candidates to avoid using their cell phones and any written material when they take part in a forum so they cannot research questions being asked while another candidate is answering. You may provide some note paper with pen/pencil for candidates to make notes during the forum.

Oral questions

Oral questions allow for more active audience participation, but have several drawbacks: The questioner may ramble or attempt to make a speech, may personally attack a candidate, or may ask a question that does not really pertain to the office. Often a certain question triggers similar questions in the audience's mind, limiting time to explore other areas of interest. Sometimes one questioner may dominate as others in the audience defer to them. It can sometimes be hard to hear the questioner, or to understand their point.

If you decide to use oral questions, consider the following suggestions:

- Specify a time limit for asking the question, e.g. 30 seconds.
- Have questioners use a microphone so everyone can hear them.
- Make sure the audience knows the "rules" for questions: addressed to an office, not an individual, no personal attacks, etc. And, be prepared to disqualify a question if it is inappropriate.
- Ask for questions for a specific office, if its candidates haven't had enough "air time."

Written questions

Written questions have several advantages: The audience has time to think of good questions, and to craft them in writing. A range of interests is often reflected in the questions.

With written questions, question screeners can be used to:

- Eliminate or rephrase questions that are inappropriate or poorly written.
- Reword questions addressed to an individual candidate so they apply to all candidates.
- Group questions that are similar or are about the same subject, leaving more time for other questions.
- Write reserve questions to be used if the audience does not submit enough questions to fill the time allotted.
- Prioritize questions so that the more important ones are first.

Televising or recording the forum

Leagues often work with the media to obtain the broadest possible coverage.

- Check with your local television station to determine if they would like to broadcast the forum live or record it for delayed broadcast. Many cities film candidates forums for broadcast on community access cable channels. A media department of a local college may be able to provide technical assistance.
- Newspapers need content for their website and might podcast or webcast a forum as well as advertise it in the newspaper.
- Post the video on your League website, Facebook page or other social media channels. The goal is to reach as many potential voters as possible, so website availability and rebroadcast times should be well advertised.

For in-person, virtual or hybrid events, LWVUS recommends that debate or forum moderators issue a verbal statement at the beginning of the event to this effect: "Recordings of this event, whether they be in-person or on a digital device, may not be used without the express written approval of the League. The League will only allow audio/video of this event to be broadcast in its entirety, except by the media reporting on the event." This statement should also be written in the description of the virtual event.

No part of a candidate's remarks should be edited, and candidates are not allowed to use any part of the forum for campaign purposes. If the recording needs to be shortened for broadcast, League members should work with the film editor to make sure only non-essential portions are edited out. A broadcast can be cut into segments, as long as all segments are available.

For more detailed information, check the policies for candidate debates and forums in the Voter Education section of the LWVTX Policies and Procedures Manual (which can be found on the Publications page under League Management at <u>LWVTexas.org</u>).

Does the Texas Open Meetings Act apply?

The Texas Open Meetings Act, adopted in 1967, requires meetings of governmental bodies to be open to the public, including informal meetings. If a quorum of a governmental body (such as a city council, school board, or county commissioners court) attends a candidates forum, that forum may be subject to requirements of the Texas Open Meetings Act. To constitute a quorum, included are not only incumbents who are candidates participating in the forum, but also any other members of the governmental body who are in the audience.

The act requires public notice of the time, place and subject matter of such a meeting, as well as minutes or tape recordings of the session. The act also permits members of the public to record open meetings with a digital device, tape recorder, video camera or other means of aural or visual reproduction.

The responsibility for deciding whether a forum is an open meeting under the act belongs to the elected officials and their governmental body, not the League or other sponsor of a candidates forum. If the forum is considered an open meeting, the governmental body must provide notice and record of the meeting. The League or sponsoring organization should be in contact with the governmental body to coordinate any arrangements for recording the forum and to ensure that notice of the meeting states that it is a forum with questions being posed to the candidates. If the forum is determined to be an open meeting, the League, whether it is a sponsor or moderator, may not prohibit members of the public from recording it.

The *Open Meetings 2018 Handbook* on the Texas Attorney General's website, as noted in *Resources*, has more detailed information.

Prepare for the Forum

Obtain candidate information

During or after the filing deadline, obtain the names and contact information of all candidates from the public official in charge of filing for the election. If you contact the candidates during the filing period, you can ask them to "save the date" and to let you know of any major conflicts for the date. Then, after the filing deadline, do a final check to make sure you have a complete candidate list.

You can obtain candidate filing information from the following officials:

 Primary elections - Contact the county offices of the political parties with candidates in the races being covered by your forum. All statewide offices must file with the state party, as well as certain non-statewide offices such as U.S. Representative, member of State Board of Education, Courts of Appeals Justices, District Judges and District Attorneys, unless their district is composed of only one county. However, most county party officials will have information on those candidates who will be on the local ballot.

- General elections Contact the Secretary of State for statewide offices, and the local Election Administrator or County Clerk for local offices.
- City elections Contact the City Secretary.
- School board elections Contact the school district administration office.
- Other boards and districts Contact the administration office.

Invite the candidates

Send a written invitation, signed by the president of the League or organization, which includes information about the forum, the criteria for participation, debate/forum format and rules, a form of candidate's acceptance of format and rules, and a waiver for League distribution of debate content, including video recordings. (See *Sample Documents* in the Appendix.) It should be sent to candidates in a traceable form (email with a read receipt requested or USPS with a signed mail receipt).

The invitation should state that only the qualified candidates will be allowed to participate, and no substitutes or stand-ins will be allowed to speak for a candidate. The only possible exception might be the death of a candidate after filing and before the election, when the name will still appear on the ballot. The stand-in could then explain what a vote for the deceased candidate would mean, but would not participate in the question/answer period.

If not all candidates for an office can attend the forum, be sure that you comply with League policies on "empty-chair" debates, as detailed in the *Guidelines for State and Local League Debates*, the link which can be found in the Candidate Forums section of the Voter Education page under League Management at LWVTexas.org.

In general, you must have at least two candidates for each office participating in the forum if any one or more of the following conditions are true:

- the office is a federal office, or
- the event is advertised as a debate and not a forum or meet-and-greet, or
- the forum is to be broadcast.

In other cases, a single candidate may appear as long as all candidates for the office were invited and the event would not damage the League's nonpartisan reputation by creating the impression that the League favored one candidate over another.

If candidates refuse to participate, the League president may submit a letter to the editor of local/statewide newspapers stating that candidates are expected to participate and if they do not, they are denying the community an opportunity for public education about them and the issues.

Send other invitations

Invite media members to cover the event. Candidates in uncontested races and current elected officials may be invited, as a courtesy, as well as city or school administrators.

Appoint forum officials

- Moderator The moderator should be thoroughly familiar with LWV policies and principles, especially nonpartisanship. The moderator's political views and positions should be generally unknown in order to avoid any appearance of bias or partisanship. The moderator should not be identified as a member of a political party or a friend of any of the candidates. A member of a neighboring League might be asked to serve as moderator, or even a non-League member.
- Timekeeper The timekeeper should keep accurate time with a stopwatch and signal time remaining to the speaker.
- Question Screener If written questions from the audience are used (in-person) or if
 participants are able to submit questions via the Q&A function (virtual), one or more
 persons should be appointed to screen the questions before giving them to the
 moderator or posing them to the candidates (as previously described under **Decide**how to ask questions). The screener should have a working knowledge of the issues
 pertaining to the election.
- Technical Coordinator For virtual meetings, assign someone to recite the technical rules and guidelines, and to be on hand to monitor technical issues.
- Question collectors/ushers For in-person events, these volunteers direct people to seats, pass out question forms, and collect them from the audience during the forum.

Prepare promotional and/or printed material

Arrange publicity through print and other media, including social media, public service announcements on radio and television. Put announcements in League newsletters, on VOTE411.org and in *Voters Guides*. Send email to co-sponsors and other organizations. Consider signs and banners for the forum venue, and posters or flyers to place in businesses or public places.

For in-person forums:

- Print programs for the audience, with information about the candidates and offices, the forum format, election dates, dates and media channels of recordings, and the League's contact information and nonpartisan policy.
- Print a nameplate to place in front of each candidate, showing the candidate's name and office sought.
- Have Voters Guides, VOTE411.org information such as bookmarks, membership forms and other League publications available during the forum, but avoid any publications that advocate for a certain position.

For virtual events:

- Post voting information and the LWVTX Voting & Elections links in the chat function.
- Include a slide at the beginning and end of the forum reminding participants about voting dates, the League's contact information and nonpartisan policy,

Visit the site

In-person events - Before the event, visit the site to determine the staging. Check the availability of a podium or lectern for the moderator, and tables for the candidates. Determine the arrangement of the candidates, and the placement of panelists, if used, and the question screeners. Consider whether the audio is sufficient; several microphones are preferable to just one. Determine whether the seats for the audience will have to be arranged just prior to the event. If the forum will be recorded, consider where the camera will be placed. Make sure the backdrop is pleasing and appropriate. Check the location of light switches and heater/air conditioner thermostat or fans. Arrange for a table outside the meeting room for the candidates' campaign literature, as well as League literature. Check the availability of restrooms and fire exits.

Virtual and Hybrid Forums - Before the event, the Technical Coordinator should guide several run-throughs of the event, testing audio and visual access for all participants, including at least one practice with the candidates.

Manage the Forum

Set up the room

For an in-person event, on the day of the forum, the **Forum Coordinator** and other volunteers should arrive early to do the final set up, to place water and nameplates at the candidates' tables and to set up a sign-in table for all attendees. Designate a person to greet the candidates as they arrive, check them off a list, and answer any questions about the format. Have question forms for the audience, and ushers to pass them out and take them to the screener or moderator. During the event, watch to make sure everything is running smoothly.

Regardless of format (in-person, virtual or hybrid), for League record keeping purposes, establish a process to tally the number of attendees, including candidates and their staff, news media, general public, and League members.

Run the meeting

The **League President**, Forum Coordinator or Moderator should welcome the audience and candidates and explain the purpose of the event and the League's nonpartisan policy. A statement of the importance of voting and participating in government may be included.

The **Technical Coordinator** should give an overview of the functions of the virtual platform.

The **Moderator** should explain the format, including time limits and how questions and answers will be handled. He or she should introduce the timekeeper and explain how time limits will be signaled to the candidates. It is important to remind both the candidates and the audience that no personal attacks will be allowed.

The **Timekeeper** should sit on the front row (or be visible on screen) to be easily seen by the candidates and moderator and should have a stopwatch and some device or sign for signaling the candidates as to their time limits. Signs to indicate time left are better than bells or gavels, which are more disruptive. Establish a procedure for handling "over-run" statements by the candidates.

If the forum has been deemed subject to the Texas Open Meetings Act, the League or sponsoring organization may announce at the beginning that the forum is considered an open meeting and as such is being recorded by the governmental entity and provide information as to how the recording will be available. Anyone who wants to record all or any part of the open meeting should be allowed to do so, according to the provisions of the Texas Open Meetings Act.

If the forum has not been deemed an open meeting, announce at the beginning that mobile phones should be turned off as a matter of courtesy and that unauthorized photographs or videos are not allowed because the FCC requires that a forum must not be edited and must be broadcast in its entirety, except by media reporting on events.

Candidates are not allowed to use or edit the footage for campaign purposes. Realistically, there is no way to guarantee that someone won't capture some video or audio without our knowledge so a disclaimer should also be put in the guidelines for the debate. The League wants to ensure that information is not manipulated to create false or misleading impressions.

The Moderator should introduce each group of candidates and explain the duties of the office, salaries, and term, if these are not available in printed form. He or she should be familiar with the candidates' names, party affiliations, and the order in which they will be seated. The Moderator should have a system of determining the speaking order of the candidates, such as alphabetic or ballot order or by random draw. It is a good idea to vary the speaking order during opening, closing and question responses. One method is to place all names within a container and draw one at a time. Use a separate draw of names for opening and closing statements. When there are more than three candidates, it is suggested that the moderator determine a process to track which candidates have already spoken to a question and which have not, so that no one is overlooked.

After the candidates' opening statements, allow time for the candidates to respond to questions from the audience or panel. Candidates' responses should be timed and can usually be limited to one minute. Questions should be directed to an office or place, or all candidates, but not to an individual.

At the end of the question period, allow each candidate to make a closing statement of a pre-set length, so they may correct any misimpression and/or thank the audience.

The League President or Moderator should make any closing announcements. Thank the candidates and the audience for their attendance and participation, remind them of *Voters Guide* availability and/or publication date, early voting dates, and media channels where the recording of the event can be found. Also, direct the participants to VOTE411.org. A *Sample Moderator Script* can be found in the Appendix.

Head off problems and disruptions

The Moderator should be aware of any hot issues that might cause difficulty. He or she must maintain proper decorum, and should not become nervous, angry, rude, or overly casual. Humor often diffuses a tense situation.

In recent years, members of the audience have asked for recitation of the Pledge of Allegiance, or requested some other addition or change to the agenda. If you anticipate this type of request, it's best to determine ahead of time how to handle it. Ask the candidates if they generally have an opening ceremony at their meetings, such as the Pledge of Allegiance. You can either add it to the agenda or be prepared to explain why the original agenda will be maintained.

Find out if there are any candidate activities planned before or after the forum that would require more crowd control measures, such as directions to the meeting place or additional security personnel.

Consider the following tips to help address any unplanned activities or disruptions that may occur:

- Have the Moderator meet with the candidates before the forum starts to re-affirm their understanding and agreement to the rules and format.
- Distribute or email an agenda and/or format rules to all participants.
- Consider having police or security people present at the event.
- Have a number of League members sprinkled throughout the audience to help maintain order.
- Moderators should be prepared to keep their composure and maintain a strong, yet civil tone that exemplifies the respectful discourse expected of Leagues.
- Include a statement like the following in the Moderator's opening remarks:
 "In order to ensure that you have the most time to hear from the candidates running to represent you, we have established the format, time and terms for this forum together.
 All candidates (you might choose to name them) have agreed in advance to the following rules." And then read the agenda and rules or format.
- If there's pushback from the audience perhaps consider a couple of quick options:
 - o "If we hear no objection from the candidates and those assembled, we'll take a minute to do that before we start." (or)
 - o "We are happy to entertain that at the end as time allows."

Evaluation

With the Board and forum workers, conduct an evaluation of how the forum worked, and write down what should be changed in the future. Then send thank-you notes to the candidates for appearing and for running for office. After the election, you may want to send congratulations to the winners, as well as encouragement to the candidates who did not win, thanking them for their participation in the political process. If you have received approval to use the League of Women Voters of Texas grant, file the appropriate project reports to apply for reimbursement.

Moderate a Non-LWV Forum

Many organizations ask the League to moderate their candidate forums. In such cases, the League must still ensure that the forum meets League standards for nonpartisanship and fairness to candidates, i.e.:

- All candidates for the offices are invited.
- All candidates are given equal time and opportunity to make opening and closing remarks and answer questions from the audience.
- Questions, whether written or oral, are based on issues, do not include personal attacks, and are presented to all candidates for an office for response.
- The forum conforms to League policies such as videotaping and placement of candidate materials.

Be sure to provide the organization with a copy of the LWVTX *Policy on Candidates Forums* prior to agreement to moderate the forum.

The sponsoring organization should meet the same guidelines as a co-sponsor for a League forum; they must be approved by the League Board of Directors and cannot have endorsed or been affiliated with a candidate or ballot issue. The event cannot be publicized as a League forum.

However, the sponsoring organization, not the League, may take the lead in setting the date, arranging a venue, funding the event, providing volunteers and publicizing the event. They may also invite the candidates, as long as the League nonpartisanship standards are maintained. The sponsoring organization and the League should agree on the format of the forum.

The League should provide the moderator, timekeeper and question screener, if possible. Additional volunteers may come from the sponsoring organization.

If the forum is to be broadcast or recorded, League policies on broadcasts must be maintained. Any use of forum recordings requires the express written approval of the League; and the League will only allow audio/video to be broadcast in its entirety, except by the media reporting on the event.

Resources

LWVUS publications (available at lwv.org):

- "FAQ's Candidate Forums-Debates"
- "Guidelines for State and Local League Debates"
- "Hosting Virtual and Hybrid Candidate Forums During Covid"

LWVTX publications (available at https://www.nvtexas.org):

- Policy on Candidates Forums
- Handbook for Local Leagues TEF Projects
- League Handbook and Directory

Secretary of State's Office (available at sos.state.tx.us):

- Election dates
- Political party information

Texas Attorney General's Office (available at oag.state.tx.us):

Open Meetings 2018 Handbook
 (https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/Open-Meetings-Handbook-2018.pdff)

Appendix

Sample Invitation to Candidates

[Use LWV logo and/or local League letterhead]

The League of Women Voters, a nonpartisan political organization, encourages informed and active participation in government and influences public policy through education and advocacy.

[Date]

To Candidates for:

[Name of office and place]: [names of candidates and party, if appropriate]

Dear Candidates:

The League of Women Voters of [your League] invites you to participate in a public candidates forum to provide information to voters for the coming [give date and type] Election. The purpose of the forum is to educate the public about issues, allow face-to-face comparisons of the candidates and their positions, and stimulate and increase voter interest and participation in the election.

The candidate forum will be [date and time] at [location and address].

[If you will have multiple sessions, state the time of each session and which candidates will appear, as follows:]

We will have two sessions, as follows:

Session 1, [time], for [name of office] candidates Meet & Greet, [time], for all candidates in both sessions Session 2, [time], for [name of office] candidates

Details of the forum and its format are in the attached Forum Guidelines and Participation Agreement.

I would appreciate your response regarding participation in the candidate forum no later than [deadline for response]. You may contact our Forum Coordinator by email or telephone, using the contact information below. As we receive responses, we will update the list of participating candidates on our website [URL for website].

Thank you for your participation.

[name and signature of League president]
[name and contact information of Voters Service Director or other forum coordinator]

Sample Forum Guidelines and Participation Agreement

[Use LWV logo and/or local League letterhead] [Contact information for forum coordinator]

Guidelines for Candidate Forum

[Name of forum] [date and time of forum] [location of forum]

[description of format, such as the following:]

U.S. Representatives 10:00 - 11:00 Candidate Meet & Greet 11:00 - 11:30 State Representatives 11:30 - 12:30

- 1. **Please RSVP by** [date and time], so that we can finalize arrangements and distribute publicity for the forum. We will list the candidates invited and indicate whether they are attending, not attending or no response received.
 - If you plan to attend, complete the Participation Agreement at the bottom and email the document to [name and email].
 - If you do not plan to attend, please email your reply to [name and email].
- 2. Candidates invited to participate in the forum:
 - All candidates who will appear on the ballot for the above contested races are invited.
 - Only candidates will be allowed to participate, and no substitute may stand in for a candidate at the forum, either to read a statement or to distribute candidate literature.

[If the forum is subject to rules prohibiting participation by a single candidate for an office, include a statement like one of the following:]

- Note to candidates for U.S. Congress: LWV policies and Federal Election
 Commission regulations require that in a forum for candidates for U.S. office, at
 least two candidates in a race must participate; otherwise, a single candidate in
 a U.S. race can only be introduced at a forum but not speak or answer questions.
 Candidates for U.S. office will be notified if they are the only candidate in the
 race who has agreed to participate.
- LWV policies require that at least two candidates in each race must participate in this forum; otherwise, a single candidate in a race can only be introduced at a

forum but not speak or answer questions. Candidates will be notified if they are the only candidate in the race who has agreed to participate.

3. Unopposed candidates invited to be introduced:

 Unopposed candidates may not be speakers at the forum; however, they may be introduced during the forum and are invited to the Meet & Greet.

4 Sessions:

- Candidates should arrive at least 10 minutes prior to their respective session.
- Candidate literature should be placed on tables provided at the back of the room. It may not be placed on seats or handed out to attendees as they enter or leave the room for the forum. Only small items are permitted in the room (e.g., cards, brochures, flyers), not large signs or banners.
- All candidates will be seated by office sought, in an order determined by a random draw [or other method]. Speaking order will be rotated.
- Each candidate will have up to three minutes for opening remarks, in the order seated.
- Written questions from the audience will be read by the moderator and each candidate for the office addressed will have up to one minute to respond. The speaking order of candidates will rotate.
- Each candidate will have up to **two minutes for closing remarks**, in the reverse order from opening remarks.
- Candidates may not address questions or remarks to other candidates; all questions will come from the audience.
- All candidates are invited to attend the Meet-and-Greet to talk individually to attendees and distribute campaign materials.
- QUESTIONS? Contact [name, email, telephone].

PARTICIPATION AGREEMENT: I agree to participate in the Candidate Forum [date] and
accept the format and rules as presented above. The forum content is the property of the
League of Women Voters of [your League] and permission must be sought to rebroadcast
the forum in its entirety or to print excerpts. I agree that I will not use any portion of the
forum in a political advertisement.

Candidate's name	Date
------------------	------

Sample Moderator Script

Nonpartisanship policy:

The League of Women Voters, a nonpartisan organization, encourages informed and active participation of all citizens in government and influences public policy through education and advocacy. The League does not support or oppose any political party or candidate.

If forum is an open meeting under Texas Open Meetings Act:

The [governmental body] has determined that this forum is an open meeting under the Texas Open Meetings Act. [Minutes or recording] of this forum will be available [when and where]. Members of the audience are also allowed to tape or record the meeting in an unobtrusive manner.

Taping policy if forum is not an open meeting:

Before I introduce the candidates, please put away your cell phones and cameras. According to League guidelines, candidate forums cannot be taped or broadcast without permission of the League. No portion of the candidate forum may be used as part of campaign materials.

Format of session:

This session will present the candidates for [specify offices]. [(Describe term and responsibilities of each office and introduce the candidates, including any unopposed candidates in the audience.]

[If you anticipate any requests from the audience regarding format or procedures, you may say the following:] In order to ensure that you have the most time to hear from the candidates running to represent you, we have established the format, time and terms for this forum together. All candidates have agreed in advance to the following format. [Include any specific parts of the format that may be problematic.]

To begin, each candidate will have up to 3 minutes for opening remarks. After that they will respond to written questions from the audience. Then each candidate will have 2 minutes for closing remarks.

All candidate remarks will be timed, to ensure equal opportunity for everyone. Our timekeeper is [name] a member of our League. Candidates, she will raise signs to let you know how much time is left. Please stop promptly when your time is up.

The program has a form on which members of the audience may submit a question for our Q&A period. As you listen to the candidates, you may write a question on the form and pass it to the aisle for one of the League members to pick up. Hold up your hand if you need another form or a pencil. Please write questions for an office, rather than an individual. Questions will be screened for appropriateness and grouped by topic.

Candidates' opening remarks:

The candidates are seated, left to right, in the order in which they will give opening remarks. [Describe how order was determined.] Each candidate will have up to 3 minutes, beginning with [name of first candidate].

[Announce the name of each candidate in turn.]

Questions and answers:

We have collected several questions from the audience. Each candidate will have the opportunity to respond to each question. We will vary the speaking order to allow different candidates to speak first, last, etc.

The first question is ... We will give each candidate **1 minute** to respond, beginning with [name of candidate]. [It is helpful to provide candidates with a list of the speaking order for each question.]

Candidates' closing remarks:

Each candidate will now have **2 minutes** for closing remarks. Candidates, you may want to address any issues that have come up during the questions.

This time we are going to go in reverse order from the opening remarks, beginning with [name of first candidate].

End of Session

This concludes this session of our candidate forum. Thank you to the candidates for your participation and to the audience for your attendance and questions. Please check your program for information about *Voters Guides*, voting dates and sample ballots. [If multiple sessions] We will have a break during which time you can talk to candidates individually. We will begin the next session promptly at [time].

Sample Candidate Forum Memorandum of Understanding

Candidate Forum Deliverables

1. In order to perform its obligations in producing and hosting the Candidate Forum, the Parties agree to the following terms, conditions, and deliverables:

a)	on candidates for the following contested elec	
	office(s) The Forum	will be held on
b)	The sponsors of the Forum are	. No other sponsors shall
	be acknowledged. Only sponsor logos will be	permitted in collateral materials.
	League of Women Voters of (League) will be originating sponsor.	recognized as the event's
c)	Media sponsors shall arrange for the Forum to media: Abridged clips of the Forum to content. The League will be allowed to share	vill be permitted for news broadcast
	cost. This event will be open to all media.	triis leed via its social media at no
d)	Media sponsors, if invited to moderate, shall of	ensure that the moderator(s) refrain

- d) Media sponsors, if invited to moderate, shall ensure that the moderator(s) refrain from any partisan conduct or statements in emceeing and moderating the forum.
- e) Prior to inviting any Forum candidates, the partners shall establish and use objective non-partisan criteria to determine which candidates officially qualify for election to this office and shall extend invitation to all qualifying candidates for the Forum. This criteria should also address the possibility of write-in candidates for office.
- f) No individuals except qualified candidates for (name office being contested) shall be allowed to participate in this Forum.
- g) All partners shall jointly determine the candidate Forum format, provided it complies with relevant state and federal law (FEC, IRS) as well as voter education activities.
- h) All partners agree to refrain from collecting any personal data from attendees or sponsor organizations' membership database.
- i) The Parties shall not provide Forum questions to any candidate in advance. The League will determine the boundaries of topics which will be covered by the Forum. The League will also provide qualified volunteers to properly screen and edit questions from the audience for the candidates. No questions may be offered from the floor for quality control of time and content.
- j) The Parties shall use commercially reasonable efforts, excluding commencing litigation, to prevent the Forum, or any portion or recorded media thereof, from being used for any partisan or political activity by any third-party.
- k) The Parties shall be recognized with the following language in all promotion(s), broadcast(s) or rebroadcast(s) of the Forum or a portion thereof: "This

Candidate Forum is made possible by the financial support of the League of Women Voters of (League) and (name partners)."

- The Parties shall provide the following as sponsors of the Candidate Forum:
 i) _____will provide the venue and associated costs: A/V, lighting,
 - technicians.
 - ii) ____will contact the candidates, outline specifics, appoint points of contact, confirm participation and share logistics details.
 - iii) _____ will handle security and coordinate with local law enforcement if needed. (This information should be shared with candidate teams.)
 - iv) (Media Partner) will provide no less than ___ promotional prints in their newspaper, promotion on their website as well as social media platforms, and an emcee/moderator, and will live web stream and archive the event for post-event access by the public.
 - v) (Media Partner) will promote the event in advance with pre-event interview considerations, calendar listings in print and on social media; the event will be free and open to the public.
 - vi) All partners will work in concert to market the event up to four weeks in advance of the date.

Sample Video/Photograph Release Form

League of Women Voters of [Your League] Video/Photograph Release Form

I hereby grant the League of Women Voter of [Your League] (the "League") the irrevocable right and permission to use photographs and/or video recordings of me on League and other websites and in publications, promotional flyers, educational materials, derivative works, or for any other similar purpose without compensation to me.

I understand and agree that such photographs and/or video recordings of me may be placed on the Internet. I also understand and agree that I may be identified by name and/or title in printed, Internet or broadcast information that might accompany the photographs and/or video recordings of me. I waive the right to approve the final product. I agree that all such portraits, pictures, photographs, video and audio recordings, and any reproductions thereof, and all plates, negatives, recording tape and digital files are and shall remain the property of the League.

I hereby release, acquit and forever discharge the League from any and all claims, demands, rights, promises, damages and liabilities arising out of or in connection with the use or distribution of said photographs and/or video recordings, including but not limited to any claims for invasion of privacy, appropriation of likeness or defamation.

I hereby warrant that I am eighteen (18) years old or more and competent to contract in my own name or, if I am less than eighteen years old, that my parent or guardian has signed this release form below. This release is binding on me and my heirs, assigns and personal representatives.

Signature of Individual Photographed/Recorded	Date
Printed Name of Individual Photographed/Recorded	
Signature of Witness	Date
If an individual photographed/recorded is under eighteen (18) years be completed: I have read and I understand this document. I understant me, my child (named above), our heirs, assigns and personal representate eighteen (18) years old or more and that I am the parent or guardian of the	d and agree that it is binding on tives. I acknowledge that I am
Signature of Parent/Guardian of Individual Photographed/Recorded	Date
Printed Name of Parent/Guardian	
Signature of Witness	Date

Exhibit 112

From: Jerrie Champlin [jbaralin@gvtc.com]

on behalf of Jerrie Champlin < jbaralin@gvtc.com> [jbaralin@gvtc.com]

Sent: 1/22/2022 10:26:36 AM

To: gchimene [gchimene@lwvtexas.org]

CC: Laraine Henchal [laraine.henchal@gmail.com]
Subject: question re: "assistance" in filling out ABBM

Thanks for all that you're doing! I shared all the information, clarification and links re: the ABBM and voter registration forms with our Voter Services team which includes Joyce Doyle who also does VDR volunteer work for the local Democrats. We are planning on including a pre-addressed, stamped envelope with ABBM forms & the Tips one-pager we provide at our LWV GOTV events and Joyce asked the question below. IMO providing a pre-addressed, stamped envelope is not the same as helping someone complete the application or mailing for them. Does LWVTX have any guidance/opinion on this specific question?

Jerrie

Jerrie Champlin President, LWV-Comal Area <u>jbaralin@gvtc.com</u> 830-643-4657

From: "Joyce Doyle" <joycedtx@gmail.com>
To: "Jerrie Champlin" <jbaralin@gvtc.com>
Sent: Friday, January 21, 2022 4:03:00 PM

Subject: Re: information on VOTE411, new forms, new laws etc

Thank you for this great information. We will be doing some Voter Registration soon and of course offer help with ABBM both there and at Dem HQ. Are you sure that it's OK to give out envelopes and stamps? I saw this on the SOS website under instructions for :

- 1. "If someone helped you complete the application or mailed the application for you, that person must complete Section 11. [giving their name and address as an Assistant]
- Affix postage.
- If you printed the application you must place it in your own envelope and add postage."
 It bothers me that he says "your own envelope." Maybe I'm being too suspicious and it just means they

won't be supplying an envelope. It would be ridiculous if you couldn't give them an envelope and even a stamp. Did you address the envelope to the elections office?

I'll forward your information on to our VDRs. Thanks. Joyce

Exhibit 113



Policies & Procedures

A Manual for State, Local League Boards, and Leagues at Large Revised 2022 League of Women Voters of Texas

Adopted as revised by the League of Women Voters of Texas Board of Directors © July 2005; Revised 2008, 2009, 2011, 2012, 2015, 2016, 2017, 2019, 2020, 2021, 2022

Revision No.	Approval Date	Reason for Revision
9	Oct 18, 2019	Revised in its entirety to meet 2019 bylaws, updates the empty chair policy and Programs, provides that LWVTX inputs VOTE 411 data for State and Federal races, removes the records retention policy and adds (1) an internal financial audit committee and (2) a whistleblower policy
10	Jan 12, 2020	Revised Debates and non-debate locations
11	Feb. 22.2020	Removed convention delegate table.
12	May 12, 2020	Inserted Photography, Video and Audio Recording Policy and Reprint Policy
13	Mar 9, 2021	Updated links and made format and punctuation corrections to Voter Education section
14	Sep. 13, 2021	Program chair updated. Executive administrator updated to Executive director.
15	Nov. 4, 2021	Updated links from LWVTexas website.
16	Apr 1, 2022	Updated Voter Education section to incorporate updated Guide to Voters Guide and to update other links

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1. Introduction

Policies and procedures are operational guidelines to help the League fulfill our mission of empowering voters and defending democracy. Our policies and procedures assist the board in implementing our bylaws. Policies are reviewed every two years by the board of directors, revised as needed, and adopted by the board. Updated Policies and Procedures are shared with Leagues and League leaders by email and online.

Review Process

Biannual reviews are required and include:

- headings are they appropriate?
- placement of items are they in the right place?
- readability does it make sense?
- League links use links from LWVUS or LWVTX whenever possible vs copying and pasting from LWVUS or LWVTX web pages or documents. This keeps information up to date.
- outside links Governmental agencies and resources as needed i.e., FEC, IRS
- accuracy is it true? legal?
- applicability Who does the policy apply to: LWVTX, local Leagues or Leagues at large? Is it clear?
- usefulness is it useful information for the Policies and Procedures or does it belong somewhere else?
- date updates

This Manual is an e-book Only

Because of the League's commitment to the environment, these policies are available electronically with links to pertinent resources. We suggest printing only the page you need in order to support this commitment.

Questions & Help

If you have questions about this guide, please contact the state office at hwvtexas@lwvtexas.org.

Quick Links

Many documents are found on the Publications page of our website:

https://lwvtexas.org/publications.

2. Nonpartisan Political Policy

LWVUS: Guidelines for Developing and Implementing Nonpartisan Policy

LWVUS: Criteria for League Participation in Marches & Events

Members of the state, local League boards, and Leagues at large shall adhere carefully to the nonpartisan political policy of the League of Women Voters of the United States (LWVUS).

"The League of Women Voters does not support or oppose any political party or candidate." LWVTX BYLAWS 2021, Article II. Purposes and Policy, Section 2. Policies, a) Political Policy.

State Board

The state board president, the chairs of the advocacy and education committees, the voters service coordinator, and others the public strongly identifies with the state League shall avoid political activities that may give the appearance of partisanship.

A state board member may accept appointment to, or run for, a local political office if:

- the election does not require a party affiliation,
- the board of the local League involved gives approval, and
- the state League board approves

Prospective LWVTX Board Nominees

The Nominating Committee shall explain to prospective board nominees the League nonpartisan political policy. The state board shall explain to prospective off-board appointees the nonpartisan political policy.

League at Large Leadership Team

- League at large chairs/presidents and voter services leaders shall avoid political activities while on the leadership team that may give the appearance of partisanship,
- Other team members who have public roles, such as those who routinely conduct candidate forums, should strive to be non-partisan, and
- If a League at large team member declares for an elective office, the team member shall resign from the team, but may continue to be active in the League and return to the team when appropriate.

Both State Board members and League at large Leadership Team

- are encouraged to vote in the primary of their choice,
- are encouraged to participate in political activities but must first consult the state board if they are in doubt as to whether their activities could compromise the League's nonpartisanship,
- shall not run for office in a partisan race or accept a partisan appointment (except precinct chair),
- shall avoid indicating their political affiliations or candidate preferences at any level of government in the media, including on social networking sites or other public venues **that also prominently identify them as a member of the team**, and
- shall review and discuss the nonpartisan political policy annually.

Issue Chairs

- shall avoid activities that could compromise League nonpartisanship and
- are encouraged to participate in political activities but must first consult the board if they are in doubt as to whether their activities could compromise League nonpartisanship.

Local Leagues

 Each local League board should formulate a nonpartisan policy that best reflects existing conditions in its League, as well as the political climate and traditions in its community.
 LWVUS: Guidelines for Developing and Implementing Nonpartisan Policy

3. Diversity Policy

LWVUS: Diversity Equity, and Inclusion Policy

LWVTX: https://lwvtexas.org/diversity-equity-inclusion

Commitment to Diversity

LWV is an organization fully committed to diversity, equity, and inclusion in principle and in practice. Diversity, equity, and inclusion are central to the organization's current and future success in engaging all individuals, households, communities, and policy makers in creating a more perfect democracy.

Participation in the League

There shall be no barriers to full participation by members in this organization on the basis of gender, gender identity, ethnicity, race, native or indigenous origin, age, generation, sexual orientation, culture, religion, belief system, marital status, parental status, socioeconomic status, language, accent, ability status, mental health, educational level or background, geography, nationality, work style, work experience, job role function, thinking style, personality type, physical appearance, political perspective or affiliation and/or any other characteristic that can be identified as recognizing or illustrating diversity.

4. LWVTX State Board

LWVTX: LAL Conflict of Interest Form 2020

LWVTX: LWVTX Conflict of Interest Disclosure Form (2020)

Board Meetings

- The president shall determine the dates and places for state board meetings with consideration for the cost of the meetings and convenience of all state board members.
- A preboard compiled from the written reports of on-board and off-board members, to be included in the preboard report, shall be made available before each board meeting.
- Unexcused absences, those not approved by the president, from two consecutive board meetings, or three unexcused absences from board meetings in a biennium, shall be considered a resignation from the board. The secretary shall record absences at the direction of the president. The president shall notify the board member in writing of each unexcused absence.
- The board may vote by email between board meetings, if necessary, and decisions will be ratified on the consent agenda at the next board meeting.
- Board members are serving as members of the League and not in their professional, executive, or administrative capacity.

Board members and local Leagues

- Board members are encouraged to be active in their local Leagues. However, it is expected that the state level of the League will be the primary focus of their League volunteer time.
- Board members should limit attendance at local League board meetings to those occasions when the local League agrees to include the visit on its agenda.

Executive Committee

An executive committee may be created to act on behalf of the state board. Interim decisions that cannot be postponed may be made between regularly scheduled board meetings. Such interim decisions must be recorded and confirmed or revised, at the next regularly scheduled board meeting.

- A. The executive committee shall consist of the president, treasurer, secretary, and the vice presidents.
- B. The president has the discretion to refer items to the executive committee or the full board between the board's regular meetings.
- C. A majority of the executive committee members shall constitute a quorum.
- D. Any interim decision made by the executive committee must be confirmed, or revised, at the next regularly scheduled board meeting and reflected in the official minutes.

Board Nominations

LWVTX: LWVTX Board Nominations web page

• As a courtesy, the state League Nominating Committee should,-prior to naming a nominee for a state board position, notify the nominee's local League president.

• DEI will be considered throughout the nominating process.

Conflict of Interest

LWVTX: LWVTX Conflict of Interest Disclosure Form (2019)

- A. Members of the state board shall not receive compensation, such as salaries or stipends, for services rendered, nor shall they sell professional services or products to the League deemed necessary to carry out the mission of the organization.
- B. The executive director shall not be a member of the state board. (It is considered inappropriate for those earning a salary or fee to be a part of the decision-making body that hires, fires, and determines salary and benefits.)
- C. Members of the state board may accept modest honoraria or gifts for speeches or other activities rendered to others on behalf of the state League. Other honoraria or gifts shall be given to the state League.
- D. In any matter in which a state board member or the member's family has a substantial financial interest, the board member shall refrain from participating in the discussion prior to a vote, refrain from attempting to influence the outcome of a vote, and abstain from voting.
- E. In the interest of openness and transparency, all board members, staff, and issue chairs shall sign an annual disclosure form and include current employment, current service on other boards of directors, and/or family or business relationships with voting or nonvoting LWVTX directors or employees, whether or not deemed a conflict of interest.

5. Advocacy

LWVTX: Guide to Issue Chairs, Action Papers

This policy applies to all advocacy activities based on state League positions in order to influence any branch of state or federal government. The state board directs overall advocacy efforts by adopting goals and choosing legislative priorities; assigning issues; determining how, when, and by whom strategies shall be developed and implemented; entering into litigation; resolving conflicts among local Leagues regarding jurisdiction or action that cannot be settled otherwise; and directing local League advocacy to state government.

Legislative Priorities

- The Advocacy Committee recommends legislative priorities to the board for adoption after reviewing input from members, capitol corps, legislative coordinator, and issue chairs.
- Implementation of legislative priorities is the responsibility of the Advocacy Committee chair, capitol corps coordinator, legislative coordinator, and issue chairs with the concurrence of the president.

Approval process

• All action, testimony, written statements, action alerts and the *Capitol Action Report* shall have prior approval of the Advocacy Committee chair and the president.

Advocacy volunteer positions

Issue Chairs

- Recommends action supporting League positions in their assigned areas, with approval and guidance of the Advocacy Committee chair and the president, and
- Implements recommendations approved by the Advocacy Committee chair and/or president.

Capitol Corps Coordinator

- Responds to the requests of Issue Chairs, and
- Coordinates Capitol Corps volunteers efforts at the Capitol, at the request of Issue Chairs and the Advocacy Committee chair.

Capitol Corps Volunteers

• Fulfills advocacy actions at the Capitol, as requested by Issue Chairs.

Legislative Coordinator

- Acts on behalf of the state League,
- Maintains an active advocacy presence at the Texas Capitol,
- Promotes priority and active issues, and
- Represents the state League, when needed, at the Capitol, in coalition meetings, and with collaborators and affiliates.

Appointments

Reappointment of current issue chairs and coordinators

- After state convention, the current chair of the Advocacy Committee gathers recommendations from the current president, the incoming president, and others to determine which issue chairs, capitol corps coordinator, and legislative coordinator to recommend to the board for reappointment.
- The Advocacy Committee chair sends an official email
 - reminding the issue chairs and capitol corps and legislative coordinators that their 2-year term is ending
 - o and thanking them for their service.
 - If they are to be reappointed, asks them if they would like to continue.
 - If they are not recommended for reappointment, the email makes it clear that their term is over and thanks them for their service.

Appointment of new issue chairs and coordinators

- At convention and in emails to members, a request for volunteers is made for issue chairs, capitol corps coordinator, and legislative coordinator positions.
- The Advocacy Committee chair reviews issue chair applications, interviews applicants and makes recommendations to the board.

Approval by Board

- At the first meeting of the new board, the Advocacy Committee recommends Issue chairs, capitol corps coordinator, and legislative coordinator for the next term.
- Issue chairs and other positions are recruited, reviewed and recommended as needed by the Advocacy Committee and approved at the next board meeting.
- After board approval, Issue chairs, capitol corps coordinator, and legislative coordinator
 are sent an email explaining their term of service, their duties and a request they refrain
 from conspicuous partisan activities during their term of service. They are also asked to
 fill out a Conflict of Interest form.

Coalitions, Collaborations, and Affiliations

See lwvtexas.org/league-advocacy for a current list of approved organizations

League membership in coalitions, collaborations, and affiliations with other groups shall be approved by the state board.

Joining or resigning from a coalition, collaboration, or affiliation shall be a decision of the board based on the following guidelines:

- After consultation with the issue chair recommending the action, the Advocacy
 Committee chair must present to the board information about a group, such as purpose,
 mission, major goals or activities, reasons for membership, and verification or affirmation
 of its nonpartisanship.
- The League's representative to each group must be identified when the list is presented to the board by the Advocacy Committee chair, or as soon as possible thereafter, and the representative's role, if any, with the group must be described.
- Fees for joining should be carefully examined for merit and reviewed annually.
- If the League commits to expending funds other than for dues, the League liaison must

ensure nonpartisanship is maintained in order for the expenses to be covered.

Definition of terms

Coalition

A group with which the League works that is organized around a specific issue or issues and in which the League has an equal opportunity for input into a group's agenda.

Collaboration

A group or groups with which the League may conduct a single activity, like a forum or survey, or a specific reform effort, like a sunset or campaign finance reform.

Affiliation

A group with which the League may lobby and from which the League receives information or newsletters but does not determine the agenda.

Formal statements by League representative

 The League representative to a group of which the League is a member must have the prior approval of the state League president or designee before making any formal or public statement of League position on a specific issue.

Formal statements, emails or letters by a group

- The group shall never use the League's name on statements, letters, press releases, publications, or any other materials without prior League consent. Such consent is required each time the group wishes to use the League name.
- A request shall be approved by issue chair, advocacy chair, and president before the League logo or name is attached.
- If the League disagrees with a majority opinion of the group, a public statement of the League's dissent should be issued.

Partisan activity

If the group in any way participates in partisan activity (i.e., opposing or supporting a candidate or party), then the League shall withdraw from the group.

Advocacy calendar

Even Year	Action by Advocacy Committee
April	 At the state convention, the outgoing Advocacy chair solicits volunteers/recommendations for issue chairs and capitol corps, and legislative coordinators. Following state convention, the outgoing Advocacy chair consults with the current president, incoming president, and others as needed, re: reappointment/new appointment of issue chairs and coordinators.
May	 Updates Program Perspectives and website with new/updated LWVTX positions. Reviews/updates We Support with new/updated LWVTX positions in brief.
June	Reviews: • list of coalitions, collaborations, and affiliations for addition/deletion and makes recommendations to the state board for approval.

	 new and returning issue chair and coordinator appointments and makes recommendations to the state board for approval. priority issue survey results and makes recommendations to the state board for approval. 	
July	Advocacy chair emails letter of appointment and conflict of interest form to all issue chairs.	
August	 Advocacy chair reviews/updates Guide for Issue Chairs Plans for Issue Chair and Capitol Corps training. 	
September	Advocacy chair reviews/edits Legislative Interview Packet for consideration by Advocacy Committee at the next board meeting.	
October	At the board meeting, Advocacy Committee reviews questions for legislative interviews and recommends to the state board for approval.	
Nov./Dec.	Coordinates training of issue chairs, capital corps, and legislative coordinators	
Odd Year Jan/May	 Advocacy chair Oversees legislative action, works closely with Capitol Corps and Issue Chairs, and Edits Capitol Action Report. 	
June/September	 Advocacy Chair Sends thank you notes to volunteers, Coordinates thank you letters to elected officials, and Oversees updates of position histories by issue chairs of <i>Program Perspectives</i> and on the website. 	

Action (Advocacy) by Local Leagues, and Leagues at large

Bylaws Article X, Section 3. Program Action

- Local Leagues may act on program only in conformity with positions taken by the LWVUS or the LWVTX.
- Local Leagues, Leagues at large, or members may act on program at the state level in the name of the League only when authorized to do so by the state board.

Policy On Lobbying A State Legislator

If the Advocacy Committee chair grants a local League permission to lobby a state legislator **using a Local League position**, the following applies:

- The local League can lobby only on a bill affecting their area. If an amendment to the bill changes the scope (no longer local but statewide), the local League cannot lobby for the bill.
- The local League must always specify that they represent their local League when lobbying for the position. If they are asked about the state League position, the local League must tell them the state League has no position on the issue.

• The local League may lobby any local state legislator, but if they lobby a nonlocal legislator, they must inform the Advocacy Committee chair. (If they give testimony in a legislative committee, they shall inform the Advocacy Committee chair.)

Appointments to Public Boards, Commissions, and Committees

The League shall take the initiative in recommending people to serve on appointed public boards, commissions, and committees. The president shall be consulted on all recommendations. The full board shall approve recommendations if time permits. League members shall have priority for League support over other candidates with similar qualifications.

Conflict of Interest

When a League director or off-board chair is appointed to a state board or commission, the state League board shall decide whether or not member shall resign any League position(s) due to potential conflict of interest.

Support or opposition of political nominees

Under very special circumstances, the League may support or oppose political appointments to a state office, agency, committee, or board with the direct approval of the state board. If the board is not to meet in time for the matter to be considered, the board shall be polled by telephone or email. The League may oppose a nominee only when the nominee clearly has no qualifications for the job–not when the nominee merely holds opinions that differ from League positions.

League Participation in Marches & Events

LWVUS: Criteria for League Participation in Marches & Events

6. Voter Education

Voters Guides

LWVUS: <u>Voters' Guides Best Practices</u> LWVTX: <u>A Guide to Voters Guide 2022</u>

LWVTX: Voter Services Shared District Tracking List 2022

TXGOV: <u>Texas Ethics Commission</u> TXGOV: <u>Texas Secretary of State</u>

The state League, local Leagues and Leagues at large shall follow LWVUS Voters Guide Best Practices.

Local League, League at Large and State League Responsibilities

LWVTX

- A. LWVTX produces a Voters Guide that includes all statewide candidates and/or ballot issues.
- B. This Voters Guide also covers candidates for regional office whose regions cover large areas, such as Courts of Appeals judges and State Board of Education members.
- C. When reproducing the statewide Voters Guide, local Leagues and Leagues at large may exclude those regional candidates who will not be on their local ballot.

Local Leagues/Leagues at large

- A. May produce a Voters Guide that includes candidates and/or ballot issues that are on the ballots in its designated area.
- B. These will include candidates for U.S. representative, state senator, state representative, and county, city, school board, and/or other district elections.
- C. Shared districts

LWVTX: Voter Services Shared District Tracking List 2022

- Certain U.S. House of Representative, State Senate and State House of Representative districts comprise an area that is covered by more than one local League and/or League-at-large. In these cases, it is important that the Leagues coordinate with each other regarding VOTE411org, Voters Guides, candidate forums and interviews with candidates or officeholders.
- For those districts covered by more than one League, only one League per district can be responsible for contacting candidates and entering the sets of questions in VOTE411.org. The Shared District Tracking List designates the lead Leagues for such districts for purposes of contacting candidates and for VOTE411.org.
- If issues arise regarding coordination among Leagues that share districts, the LWVTX Voter Education Chair should be contacted.

Review and approval of local Voters Guides

- Not required if the local Voters Guide covers races and candidates.
- Required if the local Voters Guide is in a pro/con format for local ballot issues, and is published online, on VOTE411.org or in print.
- The local League/League at large should contact the LWVTX Education Chair for approval and supervision before publication.

Producing a Voters Guide

LWVTX: A Guide to Voters Guide 2022

Include the League nonpartisan policy

The League nonpartisan policy should always be printed in a prominent place on the front page of a League voters guide.

"The League of Women Voters does not support or oppose any political party or candidate."

Voters Guide Questions

LWVTX: Voter Services Shared District Tracking List 2022

LWVUS: Are Your Voters Guide Questions as Unbiased as You Think?

LWVUS: Sample Questions for Debates and Voters Guides

- 1. Questions for candidates should be open ended, non-leading, fair, balanced, and nonpartisan.
- 2. Questions should be reviewed by the local board before releasing questions to candidates.
- 3. LWVTX will develop the candidate questions, contact the candidates and enter all candidate information in VOTE411 for the following offices. Local Leagues should not contact candidates for these offices.
 - US Senator
 - Governor
 - Lt Governor
 - Attorney General
 - Comptroller of Public Accounts
 - Commissioner of the General Land Office
 - Commissioner of Agriculture
 - Railroad Commissioner
 - State Board of Education
 - Texas Supreme Court
 - Court of Criminal Appeals
 - Court of Appeals

Local Leagues should coordinate with LWV Texas and adjoining Leagues to cover the offices below using the Shared Districts List. LWVTX will cover when there is not a League assigned to cover.

- US Representative
- Texas Senator
- Texas Representative

Copyright and Reproduction

LWVUS: Voters' Guides Best Practices

LWVUS Presidential Candidates Voters Guide

The LWVUS Presidential Voters Guide is produced only by the national League and is copyrighted and may be published by the state League adhering to the LWVUS <u>Voters Guides</u> Best Practices.

LWVTX statewide Voters Guide

- The LWVTX state Voters Guide is copyrighted and may be published by local Leagues, Leagues at large, and other media reproduction by other media.
- If the state League Voters Guide is reproduced by local Leagues, Leagues at large, newspapers, or other organizations in any media, print or electronic form, it must be attributed to the state League and include the statement of League nonpartisanship: "The League never supports or opposes any political party or candidate."
- The Voters Guide content concerning candidates and/or issues must be reproduced in its entirety, except that regional races not on the local ballot may be omitted.

VOTE411.org

• VOTE411.org and other online Voters Guides are subject to the same copyright policies as printed Voters Guides.

Reprint Policy

Copyrighted materials

Copyrighted materials of the LWVTX may not be reprinted without permission. A reprint fee may be charged, based on the length of the material to be reprinted and the number of copies to be made. Contact the state office for more information.

Non-copyrighted materials

State and local Leagues are encouraged to reprint non-copyrighted LWVTX and/or LWVUS/LWVEF materials whenever this would be useful and appropriate. Leagues need not seek permission to reprint non-copyrighted material. Leagues are asked to credit LWVTX or LWVUS/LWVEF in using such material.

Copyright for image use

Please view this LWVUS Webinar about *Image Use and Copyright Recommendations*: https://register.gotowebinar.com/recording

Protecting the League's brand and ensuring our compliance with copyright and photography laws is important. See the League's **Photography, Video and Audio Recording Policy** in the **Communications** section of this Manual.

Regarding Candidates

Instructions to candidates

As soon as possible after the filing deadline, explicit instructions and questions are sent to candidates in a traceable form (VOTE411, USPS delivered with signed mail receipt, or email

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request return receipt option). Clearly articulate the ground rules for inclusion in the League Voters Guide. For example:

- Explain word limitations so candidates know any responses over the word/character limit will be truncated at that number. VOTE411 calculates the word count for candidate responses.
- If a local League is not using VOTE411, include rules for counting/printing word numbers, symbols, abbreviations, dates, caps, boldface, italics. If the answer is cut, it is indicated with slash (///) marks.

Editing

No editing for spelling or grammar mistakes, so candidates cannot say their answers were changed by the League.

No response from candidate

If the candidate does not respond by the print deadline, they will be listed with the notation "No response received by the print deadline". If submitted after the print deadline, their information may be included at VOTE411.org.

References to opponents

- Negative references to opponents (including officeholders) or specific persons are not allowed.
- General references to other political parties may be allowed.
- If a response is deemed to not meet the criteria for the Voters Guide and, if time permits, the candidate may be contacted and given an opportunity to reword the response before the publication deadline.
- If the response is not changed, in place of a response that does not meet the criteria, the Voters Guide will state, "Candidate's response did not meet the criteria listed in this Voters Guide."

Photos of candidates and videos

Photos of candidates may be included as part of a Voters Guide. Videos may be included as part of an online Guide, but must comply with the Voters Guide criteria. However, if a candidate does not provide a response to at least one question, the Voters Guide should not include a photo or video.

Inclusion of candidate rules

These rules should be summarized in the Voters Guide. A copy of the state League instructions to candidates may be requested by contacting the state office.

Unopposed candidates

Leagues should decide in advance whether to invite unopposed candidates to participate in their Voters Guide. Space limitations may dictate their exclusion, but their responses may be important in providing information to the voter, especially in Voters Guides placed on League websites. If not invited to participate, Unopposed candidates should be listed.

Write-in candidates

In statewide races, write-in candidates must file a declaration of write-in candidacy with the Texas Secretary of State, and their names are posted in the polling place. However, their names are not on the ballot, and their responses are not included in the state League Voters Guide.

Local Leagues may develop a policy to include local write-in candidates in their Voters Guide if the filing deadline permits the inclusion of all candidates. This local policy does not apply to regional candidates included in the state League Voters Guide.

Advertisements

LWVUS: <u>Voters Guide Advertising Guidance</u> - to be followed by LWVTX, local Leagues and Leagues at

large

LWVTX: A Guide to Voters Guide 2022

Membership ads

A membership ad for the League may be included in the Voters Guide. However, a 501(c)(4) League shall not place membership information funded with 501(c)(3) Education Fund money.

Constitutional amendment or ballot issue Voters Guides

LWVTX: How To Write a Constitutional Amendment Voter Guide

League positions related to Constitutional Amendments or ballot issues must not be included in the Voters Guide. If the League publishes a fact sheet on its position, it should not be distributed so that it appears as a supplement to the Voters Guide.

Publication and distribution of the printed Voters Guide

- Voters Guides may be published and distributed in hard copy and should also be made available online through local League websites, LWVTexas.org, and VOTE411.org.
- Free copies of Voters Guides will be distributed by LWVTX to selected local libraries in areas not served by a local League or League at large. The locations will be chosen based on population density. The LWVTX Board will determine the number of copies for each election based on the probable level of interest. Both English and Spanish copies will be provided to each library.

Candidate Debates and Forums

LWVUS: FAQs League Candidate Forums and Debates

LWVUS: Hosting Virtual and Hybrid Candidate Debates and Forums

LWVTX: 2021 A Guide to Candidate Forums

General for All Debates and Forums

- A. Forums and debates must be nonpartisan and ensure that all participating candidates will be treated fairly and equally.
- B. All candidates for the races included on the ballot must be invited to participate. Only qualified candidates should be allowed to participate, and no substitute may stand in for a candidate.
- C. A letter of invitation should include the criteria for participation, debate/forum format and rules, candidate's acceptance of format and rules, and a waiver for League distribution of debate content. It should be sent to candidates in a traceable form (USPS delivered with signed mail receipt or email returned mail receipt).

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- D. The language of the waiver for distribution should be: "The debate or forum content is the property of the LWV and permission must be sought to rebroadcast the debate or forum in its entirety or to print excerpts. Candidates must agree that no portion of the debate or forum will be used in a political advertisement."
- E. Issues of interest to the general public must be included.
- F. The meeting must be open to the public, in a place that will not seem to exclude some potential audience, unless conducted for broadcast-only purposes or using a digital platform.
- G. Donations from candidates or political parties should not be solicited or accepted.

Live streaming policies and recommendations

- A. Identify the League
 - 1. Display a podium sign with logo or a banner in front of the candidate's table or across the back of the stage showing the League name.
 - 2. Use tent cards or place cards for each candidate with the LWV logo and their name.
- B. Nonpartisan statement
 - 1. The moderator shall provide a very brief introductory and closing message stating the date and name of the LWV and that this is a nonpartisan candidate forum being published unedited.

League Responsibilities for Holding Forums and Debates

LWVTX

- The state League is responsible for organizing debates or forums for statewide offices, such as governor and U.S. senator.
- Since election laws change, the state League will ascertain before each election cycle information regarding any election law changes from the Federal Election Commission (www.fec.gov), the IRS (www.irs.gov), the Federal Communications Commission (www.fcc.gov), and the Texas Secretary of State's office and will consult with local counsel as needed.

Local Leagues and Leagues at large

- Local Leagues need state board approval to sponsor debates or forums involving statewide offices. Where appropriate, the state League will invite local Leagues and Leagues at large to co-sponsor forums or debates involving candidates for statewide office.
- Local Leagues and Leagues at large have responsibility for debates or forums for U.S. representative, state senator, state representative, regional candidates, and all local candidates. Coordinate forums/debates with other Leagues as needed based on Voter Services Shared District Tracking List 2022.

Local Leagues

Local Leagues should have a written forum and debate policy, including rules, procedures and criteria, and it should be reviewed annually. Leagues at large use LWVTX /LWVUS policies. Since election laws change, the state League will ascertain before each election cycle information regarding any election law changes from the Federal Election Commission

(www.fec.gov), the IRS (www.irs.gov), the Federal Communications Commission (www.fcc.gov), and the Texas Secretary of State's office, and will consult with local counsel as needed.

Federal Definitions

Federal Elections Commission: FEC regulations for Federal elections

Internal Revenue Service: https://www.irs.gov/

Federal Communications Commission: https://www.fcc.gov/

- The Federal Election Commission (FEC) regulates the conduct of corporate, labor and nonprofit organizations in federal elections, including both 501(c)(3) and 501 (c)(4) organizations.
- <u>Debate</u> FEC regulations define a debate as an event that (a) includes at least two candidates, (b) is staged in a way that does not promote or advance one candidate over another, and (c) allows the candidates to appear concurrently, in face-to-face confrontations, with opportunities to respond to each other.
- Forum The FEC defines a forum or other non-debate candidate appearance as a place, meeting, or medium where ideas and views on particular issues are exchanged.
- The Federal Communications Commission (FCC) regulates radio, television, and cable broadcasters. Under its regulations, a broadcaster that permits a candidate for any public office–federal, state, or local–to use its facilities must provide all other legally qualified candidates for the same office with equal opportunities for use.
- Internal Revenue Service (IRS) rules provide that 501(c)(3) organizations "may not participate or intervene, directly or indirectly, in any political campaign on behalf of or in opposition to any candidate for public office." This prohibition applies to campaigns for public office at all levels-federal, state, and local. A violation of IRS rules could jeopardize the tax- exempt status of the 501(c)(3) organization responsible.

Candidates Participation Guidelines

Candidates must meet the following criteria:

- A. Requirements of the Texas Constitution and/or the Constitution of the United States
- B. All requirements to be on the ballot according to Texas election laws
- C. Demonstrate significant voter interest and support by being nominated by a recognized political party in Texas, raising sufficient funds to require reporting under FEC rules for federal races, or showing that a formal campaign is being waged.

Candidate participation guidelines for federal races

- A. A debate or forum must have at least two candidates for each federal office. An empty chair debate (where only one candidate is present) <u>cannot</u> be held as it can be considered by the FEC as an "in-kind" contribution or providing "something of value" to a federal candidate and thus subject to the prohibitions of federal election laws. A single candidate for a federal office may not be a speaker at a debate or forum. The candidate may be introduced and invited to meet and greet attendees at the end of such meetings; however, the candidate should not remain on the stage.
- B. A debate or forum should not start if only one candidate for a federal office is present. If the debate or forum includes several races, the other races may begin while waiting

- for the late candidate.
- C. If a candidate declines, cancels, or does not appear, the debate or forum may proceed if more than one candidate for the federal office is present. If only one is present, the debate or forum for that office must be canceled. The moderator may present any factual reasons given by the candidate without editorial comment. If the candidate who canceled provides a statement, the moderator may read it. If no reason is given, the League should state that it was contacted by the candidate or the campaign and told the candidate would not be able to appear. The League can state that no reason was given for canceling.
- D. Attempts may be made to reschedule the debate or forum.
- E. If a candidate refuses to participate, the League president may submit a letter to the editor of local/statewide newspapers stating that candidates are expected to participate and if they do not, they are denying the community an opportunity for public education about them and the issues.

Empty Chair Guidelines

LWVUS: FAQ's Candidate Forums-Debates

Debates:

LWVUS: Guidelines for State And Local League Debates including "empty chair" debates

Forums:

- LWVTX Empty Chair policy for <u>forums</u> allows candidates in contested races to appear in a forum (not debate) to speak and respond to questions. If only one candidate appears from the field of candidates invited, then acknowledge the absence of the missing candidates and proceed with the forum. (Oct. 2019)
- If only one candidate appears, make a statement that going forward with the forum does not imply endorsement of this candidate. (Oct. 2019)

Debate Locations for State and Local Races

LWVUS: Hosting Virtual and Hybrid Candidate Debates and Forums

For state and local races, the event may be held in any location that is accessible to the public or be live streamed in a format that is widely accessible.

Co-sponsorship for All Debates and Forums

- A. Cosponsors cannot endorse or be affiliated with a candidate or ballot issue and must be approved by League leadership. Any group whose leadership has made public statements for or against any candidate, which is known to support a candidate informally, or that advocates for an issue on the ballot should not be asked to be a cosponsor. An exception can be made if both of the two major political parties (Democrat and Republican) are cosponsors.
- B. The League should take the lead in contacting the candidates, negotiating disputes, and controlling the format for a forum that is cosponsored.
- C. The League should provide the moderator and timekeeper or should approve of them in advance. The moderator should not be identified as a member of a political party or a friend of one or more of the candidates.

Moderating a Non-League Forum

- A. A League may moderate a candidates forum sponsored by another organization as long as the forum conforms to League procedures and principles to ensure a nonpartisan event. The League should provide the sponsoring organization with information about its requirements for candidates forums, including inviting all candidates, allowing equal time for all candidates, placement of any candidate materials, videotaping, etc.
- B. The sponsoring organization cannot endorse or be affiliated with a candidate or ballot issue and must be approved by League leadership. The League should not moderate a forum for any group whose leadership has made public statements for or against any candidate, which is known to support a candidate informally, or that advocates for an issue on the ballot.
- C. The sponsoring organization may take the lead in contacting the candidates and planning the date, time, and location, although the League may provide help upon request. The format of the forum should be agreed upon by the League and the sponsoring organization.
- D. The League should provide the moderator, timekeeper, and question screener, if possible. The moderator should not be identified as a member of a political party or a friend of one or more of the candidates. Additional volunteers may come from the sponsoring organization.

Texas Open Meetings Act

TXGOV: Open Meetings Act Handbook 2022

Candidate forums and the Texas Open Meetings Act

- A. The Texas Open Meetings Act, adopted in 1967, requires meetings of governmental bodies to be open to the public, including informal meetings. If a quorum of a governmental body, generally a majority of its members, is present at a meeting, it may be subject to the requirements of the Texas Open Meetings Act. It is the responsibility of the elected officials and their government entity to determine whether a candidates forum constitutes an open meeting under the Texas Open Meetings Act and, if so, to post notice and arrange for minutes or taping of the meeting.
- B. If the forum is considered an open meeting by the governmental entity, the League or sponsoring organization should be in contact with the governmental entity to coordinate any arrangements for taping or otherwise recording the forum and to ensure that notice of the meeting states that it is a candidates forum with questions from those in attendance.
- C. The League or sponsoring organization may announce at the beginning that the forum is considered an open meeting under the Texas Open Meetings law and as such is being recorded by the governmental entity and provide information as to how the recording will be available. Anyone who wants to record all or any part of the open meeting should be allowed to do so, according to the provisions of the Texas Open Meetings Act.
- D. If the forum is not posted as an open meeting, the League should follow its own guidelines for broadcasting.
- E. If the forum is taped or broadcast, the League should not allow an empty chair debate.

Broadcast Policies

Broadcast policies for all debates/forums not subject to Texas Open Meetings Act

- A. A radio, television, or cable broadcaster must not edit the debate or forum, and it must be broadcast in its entirety, either live or reasonably soon after the debate. The Federal Communications Commission (FCC) requires that a debate or forum must include at least two candidates. The exception is news media reporting on the event.
- B. Candidates are not allowed to use or edit the recording for campaign purposes.
- C. Candidate's cell phones must be turned off. The moderator should announce that unauthorized videos are not allowed because the FCC requires that the debate must not be edited and must be broadcast in its entirety, except by media reporting on events.
- D. The content of the recording belongs to the League and its cosponsors. Any use of the recording requires the approval of the League with the caveat that it must be broadcast in its entirety. The recording can be posted in written or streaming audio/video on a League website or another website if approved by the League. It can be broken into segments as long as all segments are available.

7. Program/Studies

LWVTX: <u>Program Planning</u>, <u>A Guide to League Study Consensus and Concurrence</u>, <u>Advocacy & Issues</u>.

LWVUS: Impact on Issues: A Guide to Public Policy Positions

Program Responsibilities

Per LWVTX Bylaws (Article X. Principles and Program Section 2. Program)

- Local League/League at Large boards may make recommendations for state program, including proposed concurrence, to the state board at least 3 months before the convention or statewide meeting.
- The state board shall consider these recommendations and formulate a proposed program, which shall be sent to the presidents of local Leagues and to the chairs of Leagues at large at least 30 days before the convention or statewide conference.
- Any League or the state board that plans to propose the adoption or amendment of a state League position by concurrence on the floor of the convention shall give notice to the state office to be sent to all local Leagues/Leagues at large and the state board, of its intent to do so at least 6 weeks before the convention. The proposing League or state board shall send background information, including pros and cons on the issue and an explanation of the rationale for using this form of member agreement to the state office, and the state office shall send the information to all local Leagues, state board, and Leagues at large at least 30 days before the convention.
- The convention shall adopt the proposed program by a majority vote on each subject presented to it. A program recommendation submitted to the state board at least 3 months prior to the convention but not proposed by the state board may be adopted by the convention if its consideration is ordered by a majority vote of the convention. A two-thirds vote is required to adopt a nonproposed item, or to amend or adopt a state League position by concurrence on the floor of the convention.

Program Adoption

Local Leagues and Leagues at large Propose New Studies, Concurrence, and Updates to Positions.

- A. Local Leagues and Leagues at large provide all members with the opportunity to make recommendations for new statewide program studies or changes to existing LWVTX positions.
- B. Boards of Local Leagues and Leagues at large vote on recommendations based on member input and submit them to the state office on the required form by the stated deadline on the form.

Local Leagues and Leagues at large Propose Adoption of New Positions by Concurrence.

- A. Local Leagues planning to propose adoption of new positions by concurrence at the convention must submit their intentions on the required form by the stated deadline on the form.
- B. If the proposed concurrence is not recommended by the state board, all requirements in the bylaws must be fulfilled (see above).

State Board Recommends New Study, Changes in Positions, or Restudy

- A. The Program Chair presents program recommendations for a new study, concurrence, or review to the state board based on recommendations from issue chairs and from local Leagues.
- B. The state board votes to adopt the proposed program.
- C. The state board informs Local Leagues and Leagues at large no later than 30 days before the convention or statewide conference.

Convention Delegates Vote on New Study, Changes in Positions, or Restudy

Delegates vote first on the proposed studies and changes to existing program positions recommended by the board before voting on any non-recommended items approved for consideration.

Program Review

The state League shall follow Article X Section 2 of the 2019 LWVTX Bylaws and the national League guidelines for the adoption of program.

In addition, the following procedures will be used to ensure a systematic review of all current positions:

- A. During state program planning, local Leagues, Leagues at large, issue chairs, or the state board can make recommendations for positions that need to be reviewed, updated, or amended.
- B. During the year following convention, the state board may choose one or more positions for program review. This decision should be based on recommendations from local Leagues and issue chairs and on discussion and interest at the convention. Current and upcoming legislative activity should also be considered. The review may be conducted in the summer and fall following the next legislative session.
- C. The State board selects a Program Review Committee. Efforts should be made to include current and former issue chairs for the position, members of the original study committee, and others with knowledge of the subject. The Program Chair is a member, *ex officio*.
- D. Program Review Committee reviews the selected position in-depth, conducts research, and interviews experts. Criteria for the review of the positions should include:
 - Have LWVTX goals been achieved with this position?
 - Is the position still relevant?
 - Is the position applicable to current public policy issues or concerns?
 - Have circumstances changed?
 - Are there new laws that impact this position?
 - Is the position clear?
 - Is there still member understanding and agreement concerning this position?
- E. Program Review Committee determines one of the following options with regard to all or any portions of the position:
 - Retain as is (needs board approval)
 - Retain with editorial changes (needs board approval)
 - Formulate new position statement for member concurrence, if there is a change of intent (needs member approval)
 - Recommend a restudy for the following biennium (needs member approval)

- F. Program Review Committee makes recommendations to the state board no later than the winter board meeting before the convention.
- G. The board votes on the committee's recommendations, and if member concurrence or restudy option is approved, it is given to the convention or statewide conference for a vote.

Additional Program Considerations

State Members

State members and Leagues at large are encouraged to participate in state and national studies. The combined results of isolated state members shall be considered as the consensus or concurrence of one local League.

League Cooperation Regarding Studies in the Same Political Subdivision

- A. If a League is considering a study that, if a position is reached, would lead to action before a political entity shared by other local League(s), it must notify those Leagues of the possible study in time to allow them to consider whether or not they wish to participate in the study. Ideally, such studies should be jointly considered and jointly adopted.
- B. When two or more Leagues are in the same political subdivision, reciprocal approval is required before taking action before shared governing bodies.

8. Communications

Who speaks for the League?

LWVUS: Media Contact and Spokesperson Policy

State Board

- The state board president is the official spokesperson for the state League.
- The president may authorize a designated League member.

Local Leagues

- Official statements are made only by a League president, or by a League member authorized by the president.
- Local Leagues should state in their local policies: "The president is the official spokesperson for [name of local League], or a designated League member authorized by the president."

Leagues at large

 Official statements shall be made only by the League at large president or team leader, or by a League member authorized by the president or team leader.

Membership lists

- LWVTX, Local Leagues, and Leagues at large membership lists shall not be made available for non-League use without prior approval of the state or local League board.
- Any published membership lists should include the following statement "Any use of this list for non-League purposes must be approved by the state or local League board."
- We recommend obtaining permission from members prior to including any member names and contact information in a published membership list.

Gender-neutral language

Use whenever possible in League communications.

Editing

Approval of State League Publications and Online Material Publications

League publications or online material for public distribution or for distribution to local Leagues and Leagues at large shall be edited and approved by the following procedure:

- Submit draft documents to the appropriate committee chair.
- The committee chair edits the document and forwards it to the president for approval.
- For all future state League publications, the following shall appear in whichever format is appropriate: "For permission to reprint, contact the LWVTX."

League Websites and Social Media

Use of Logo

LWVUS: Brand Standards https://www.lwv.org/brand-standards

All Leagues shall follow LWVUS brand standards and ensure that the LWV brand is represented correctly, consistently, and professionally whenever it appears in print or online.

- A. Brand the sites with the official League logo and use the full name of the League.
- B. Use a consistent hashtag phrase for official tracking. #lwv

Photography, Video and Audio Recording Policy

<u>LWVUS Release Form</u> (Waiver)

LWVUS Notice of Filming and Photography

Use the waiver/ notice templates when conducting photo and video/audio shoots of your events. It is important to use these forms in order to protect the League's right to photos and audio/videos recorded for organic and promotional use, such as website, social media, print, etc.

Please share your League event photos with us at lwvtexas@lwvtexas.org.

LWVTX also recommends:

- 1. Your own images. You always have ownership of the photos you take. If you are photographing or filming non-League individuals at events or in public, <u>use our photo release forms</u> to get written permission and keep them on file as long as you keep the photographs.
- 2. Images from the <u>LWVUS Flickr site</u>. All of these images are owned by the League of Women Voters and licensed for use by local and state Leagues. The historical images that LWV owns are in a separate <u>historical images album</u> on that Flickr site and Leagues are welcome to use these for League content.
- 3. Free stock photos from legitimate websites that are licensed for public use. Pay special attention to any requirements on these images. Some images require an image credit back to the website and/or photographer. Here is a list of several of these reputable free image sources.

Protecting the League's brand and ensuring our compliance with photography and copyright laws is important. See the League Reprint Policy and information regarding Copyright on printed materials on page 18 of this Manual.

Image Use and Copyright Recommendations

Please view this LWVUS Webinar titled *Image Use and Copyright Recommendations* https://register.gotowebinar.com/recording/6383609877768127490

Website Privacy Policy

<u>LWVTX:</u> LWVTX website privacy policy is found at the link in the footer of LWVTexas.org <u>LWVUS:</u> LWVUS website privacy policy

The League places a high priority on protecting personal privacy and will follow the privacy policy found on our website. The League is committed to the privacy of our members and website users.

Guidelines for Social Media

LWVUS: League Management: Communications

LWVTX: Social Media & Web Sites

- A. The president appoints administrators for websites and social media and determines who may post for the League without approval.
- B. Postings should
 - reflect support or not oppose League issue positions.
 - be nonpartisan
- C. Administrators should
 - Listen and respond to questions and feedback in a timely manner.
 - Post frequently providing valid, relevant, and useful content.
 - Use the official logo in avatar and postings.
 - Use the full name of the League, ie League of Women Voters (name of League).
 - Use consistent hashtags #lwv, #LWVTexas, #LWVCollinCounty.
 - Use consistent @lwvtexas @lwvhouston @lwvaustin with the official League logo and use the full name of the League.
 - Heed copyrights and fair use regulations.

Speakers for League Events

LWVUS: Speakers for League Events

Follow LWVUS Policy in the above link.

9. Convention and Statewide Conference

Convention responsibilities

- A. The president shall:
 - appoint one state board member to chair the convention committee. The chair will report committee recommendations to the board and work with the host League as a liaison.
- B. The state League shall:
 - adopt the budget, including registration fees for delegates and observers.
 - choose the convention hotel.
 - approve all special events.
 - invite all speakers.
 - develop the schedule of events and order of business.
- C. The host and state Leagues shall
 - consult regarding fundraising activities associated with the convention.

Convention deadlines

Actions required by the 2019 LWVTX Bylaws are identified.

No. Days	Action			
180	Start preparing convention budget and set registration fee			
120	Proposed amendments to state bylaws must be submitted to the state board at least 120 days before convention by a local League board, or as proposed by the state board. (Source: LWVTX Bylaws Article XIV Amendments)			
120	First call to convention (may advance or postpone date by not more than 14 days) (Source: LWVTX Bylaws Article VII. Convention, Section 1. Place, Date, and Call).			
120	Bylaws may be amended at any convention by a two-thirds vote of delegates present and voting provided that the proposed amendment was submitted to the state board at least 120 days before convention by a local League board, or has been proposed by the state board. (Source: Article XIV Amendments 2019 Bylaws)			
90	Deadline for recommendations for state program or proposed concurrence from local Leagues, Leagues at large, due to state board (Source: LWVTX Bylaws, Article X. Section 2 Program (a)).			
42 (6 weeks)	Final call to convention with specific information 42 days prior to convention (Source: LWVTX Bylaws, Article VII. Convention Section 1. Place, Date, and Call)			
42 (6 weeks)	Notice by any League or the state board of intent to propose the adoption or amendment of a state League position by concurrence on the floor of the convention (Source: LWVTX Bylaws, Article X. Section 2, (c)).			
30	Consideration of recommendations and formulation of proposed program sent to local Leagues and Leagues at large at least 30 days prior to convention, or a statewide conference. (Source: LWVTX Bylaws, Article X. Section 2 (b)).			

30	The report of the nominating committee shall be sent to the presidents of local Leagues and the chair of Leagues at large at least 30 days prior to convention. (Source: LWVTX Bylaws, Article IX. Section 3)
30	State office sends info re-adoption or amendment to state League positions via concurrence to all local Leagues, Leagues at large, state board (Source: LWVTX Bylaws, Article X. Section 2, (c)).
30	A proposed 2-year state League budget sent to local Leagues and Leagues at large (Source: LWVTX Bylaws, Article XII. Financial Administration, Section 4, The Budget)
30	Send proposed amendments to the bylaws, together with the board's recommendations, to the presidents of local Leagues and to the chairs of Leagues at large at least 30 days before the convention. Source: Article XIV Amendments Bylaws

Delegates

League/Leagues at large delegates to state convention (See LWVTX Bylaws, Article VII. Convention, Section 2. Composition (a), (b), and (c).

The convention shall consist of:

- 1. the president of each local League / League at large or an alternate, in the event the president is unable to attend;
- 2. delegates chosen by members of local Leagues/ Leagues at large as follows: one delegate for the first 15 voting members, and one delegate for every 10 additional voting members or major fraction thereof. The official membership count shall be determined by state office records of voting members as of January 31 of the year in which convention is held. The members of the state board. (Source: LWVTX Bylaws, Article VII. Convention, Section 2 (a), (b), and (c).

Financial Policies & Registration Procedures for Convention

- A. No reimbursement from state League funds or convention funds shall be made for those registered as local League delegates or observers authorized by the local League board.
- B. No registration fees shall be paid by those whose expenses are being reimbursed from the convention account or state League accounts.
- C. The Nominating Committee chair and Budget Committee chair are requested to attend the state convention. Depending on the nature of business in a given year, the board may request other off-board leaders to attend. Unless the Board directs otherwise, reimbursement for such expenses shall come from the convention budget.
- D. Prior to each convention, the state board shall determine whether the budget permits any reimbursement of those off-board leaders encouraged but not requested to attend. Unless the Board directs otherwise, reimbursement for such expenses shall come from the convention budget.
- E. The convention parliamentarian shall be reimbursed from the convention budget for actual expenses as approved by the state board. The parliamentarian shall be offered a stipend that is reasonable and customary, for services rendered as long as they are a professionally registered parliamentarian. The parliamentarian shall register for the state convention as a visitor.
- F. When the Nominating Committee meets at a statewide conference, the expenses relating

- directly to the committee meeting may be reimbursed from the Nominating Committee line item of the state League budget, as long as committee members register as observers authorized by the state board.
- G. Expenses of the host League co-chairs for convention shall be reimbursed from the convention account at the rates set for state board members. The co-chairs shall register as observers authorized by the state board.
- H. Special guests' expenses shall be paid as agreed upon at actual cost to the guest from the convention account unless otherwise specified by the state board. Guests shall register as visitors.
- I. State office staff requested by the state board to attend convention shall not pay the registration fees. Expenses shall be reimbursed from the board meeting line item of the state League budget. Staff shall register as observers authorized by the state board.

Statewide Conference

A statewide conference may be called by the state board, the purpose of which shall be determined by the interests and needs of members, local Leagues, Leagues at large, and state board.

Statewide Conference Deadlines

Actions required by the LWVTX Bylaws are identified.

30	A statewide conference may be called as needed at a time and place determined by the state board. A formal call shall be issued to local League presidents and chairs of Leagues at large at least 30 days before a statewide conference meeting. Source: Article VIII Statewide Conference Section 1
30	At least 30 days before the statewide conference, the state board shall send to the presidents of local Leagues all proposed changes. Source: Article VIII section 4 b2.
60	Any local League proposing a change shall submit it to the state board at least 60 days before a proposed statewide conference; the state board shall decide whether or not to recommend the change. Source: Article VIII Section 4 b1.

Eligible voters at statewide conference

In the event of conduct of business, eligible voters will be as follows: 1) the president of each local League or an alternate, in the event the president is unable to attend; and one other delegate chosen by the local League board. Each League at Large with at least five members shall be entitled to one voting delegate; and 2) the members of the state board. Source: Article VIII section 3 a1 2019 Bylaws.

10. Development

LWVUS: State and Local Grants Guidelines

LWVUS: <u>Fundraising Policies</u> LWVUS: <u>Direct Mail Policies</u>

State League fundraising

• The state League board and staff are responsible for the design and execution of an annual fundraising plan.

11. Governance

LWVUS: Best Practices

Local League Bylaws

- The first three articles of all local League bylaws must be consistent with those of the League of Women Voters of the United States.
- Any local League bylaws that relate to distribution of financial resources upon dissolution must be consistent with LWVTX Bylaws Article IV, Sections 1(c) and 2(b) and Article XII, Section 5.
- Proposed revisions of local League bylaws shall be submitted to the state
 Governance Committee chair in sufficient time for review and comment before the
 local League annual meeting.

Oversight of local League bylaws by LWVTX

Proposed changes to local League bylaws.

- Send proposed changes to local League bylaws to the <u>governance committee chair</u> for review and comment in sufficient time for review and comment before the local League annual meeting.
- Proposed changes that have been reviewed by the Governance Committee are then
 presented to the local League membership in accordance with local League bylaws
 concerning amendments. The membership may amend, adopt, or reject proposals at the
 annual meeting. Please note that bylaws take effect immediately, unless otherwise
 specified.

Review of state bylaws by local League

The local League bylaws committee is charged with reviewing state and national League bylaws in alternating years, and recommending any desired changes. Any changes the local board approves are submitted for consideration to the state or national League board. The committee chair should ensure that this process is completed in time to meet deadlines for submission of proposed amendments. For LWVTX, proposed changes must be submitted at least 120 days prior to the state convention. For LWVUS, proposed changes must be submitted at least three months before the convention.

• A copy of the current local League bylaws must be included in the annual report.

LWVTX Whistleblower Policy

The League of Women Voters of Texas protects its members, directors, officers, and employees who make good faith reports of violations of law to the Governance Committee Chair. The League of Women Voters of Texas will not suspend or terminate the employment of, or take other adverse personnel action against any employee who makes a report.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that the LWVTX can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations, or suspected violations, of our governing documents, or of law or regulations that govern the LWVTX operations.

Reporting Procedure

LWVTX has an open-door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor first. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the Governance Chair. Local League and League at Large Presidents are required to report complaints or concerns about suspected ethical and legal violations in writing to the Governance Chair, who has the responsibility to investigate all reported complaints. Employees with concerns or complaints may also submit their concerns in writing directly to their supervisor or the Governance Chair.

LWVTX Governance Chair

The LWVTX Governance Chair is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Governance Chair will advise the President and/or the Board of Directors of all complaints and their resolution and will report at least annually to the Treasurer/Chair of the Finance Committee/Audit Committee] on compliance activity relating to accounting or alleged financial improprieties.

Accounting and Auditing Matters

The Governance Chair shall immediately notify the Internal Financial Audit Committee of any concerns or complaints regarding corporate accounting practices, internal controls or auditing and work with the committee until the matter is resolved.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove to be unsubstantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The LWVTX Governance Chair will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

(Policy approved by the Board of Directors on October 18, 2019)

12. Service to Local Leagues

LWVUS: Guide to LWVUS Service to local Leagues

The Service to Local Leagues Committee of the state board has primary responsibility for providing training to local League leaders in Local Leagues, Leagues at large & also for state members.

13. Organizational Levels

State Members

- League members not residing in the geographic area of a local League may choose to be state members of the Texas League or may join a local League of their choice.
- League members residing in the geographic area of a local League may choose to be state members of the Texas League, rather than joining a local League.

Leagues at large

LWVTX: A Guide for Mentoring Leagues at large (2019) LWVTX: Financial Guidance for Leagues at large (2019)

LWVTX: How to Start a League

LWVTX: League at Large Welcome Packet (2019)

What is a League at Large?

- Leagues at large are new or established Leagues where the League of Women Voters of Texas takes on administrative functions in order to serve the mission of empowering voters and defending democracy in their community.
- The state board authorizes the establishment of a League at large as a unit of the state League.
- The state board adopts from time to time the minimum number of state members required to establish a League at large.
- Leagues at large are provided LWV Texas resources such as mentors, training, membership, LWV Texas bylaws, policies, guidelines and financial management policies.

How to start a League at large

The state board may authorize the establishment of Leagues at large, composed of state members, where feasible. Leagues at large operate within the limitations established by the LWVUS and within guidelines adopted by the state board. (Article IV Section 2a Bylaws)

The state board adopts the minimum number of state members required to establish a League at large.

With the League at large, the League of Women Voters of Texas takes on administrative functions so a new League can get started registering voters, getting out the vote, educating voters, having forums and debates etc. for a community. That means skipping typical start-up steps of establishing bylaws, incorporating, seeking non-profit status, and establishing financial management policies.

- 1. Follow the process found on the <u>Start a League webpage</u>.
- 2. Submit the required forms to the state office
- 3. The LWVTX Service to Local Leagues committee reviews the application and makes a recommendation to the LWVTX board.
- 4. The state board authorizes the establishment of a League at large and if approved an application is filled out for official recognition by LWVUS.

The state board appoints a mentor/advisor to work closely with each League at large.

Minimum requirements of a League at large

- 1. Follow League nonpartisanship policies.
- 2. Support the League mission of empowering voters and defending democracy in their community.
- 3. Promote the League newsletters, social media, voter education events etc.
- 4. Maintain the current minimum paid membership set by the state board unless given exemption by the state board.
- 5. Conduct an annual meeting to adopt a budget and select a leadership team.
- 6. Meet regularly—a minimum of four leadership meetings and four membership meetings annually.
- 7. Attend training for the leadership team at least once every 2 years.
- 8. Supports and never opposes League positions.
- 9. Provide annual report and leadership contact information to the state office by June 30th.

The president and the voter services member of the leadership team shall not actively campaign or work in a campaign on behalf of a local candidate or local ballot issue during the term of office.

The state League shall supply to each League at large, without charge, up to 200 state voters guides or one electronic copy of the state voters guide for each statewide election upon request.

How to achieve full local League status

LWVUS: Request for Local League Recognition

LWVTX: Steps for becoming a local League in Texas (see Guide to Mentoring a League at Large)

League at large shall have approval from the LWVTX Board and have

- 1. Existed for at least 1 year.
- 2. Exhibited membership growth and retention.
- 3. Provided at least one leadership training session.
- 4. Accomplished at least one successful fundraising event.
- 5. Exhibited nonpartisanship.
- 6. Maintained leadership team stability.

How to maintain full League status

Minimum requirements

Local Leagues shall meet the following minimum requirements to remain in good standing:

- 1. Adopt and adhere to local League bylaws.
- 2. Pay the current per member payment (PMP) set by the membership at state convention in a timely manner.
- 3. Conduct an annual meeting to adopt a budget and elect officers.
- 4. Meet regularly as defined by local League bylaws.
- 5. Provide state League training for officers periodically.
- 6. Submit the local League annual report no later than June 30 of each year.

Annual Reports Local League & League at Large

LWVTX: 2021 Annual Report form

- Annual reports must be completed in accordance with the annual report form.
- Each local League shall submit to the state office financial documents no later than one month after the close of the local League's fiscal year. (see Financial Reports below)

Changes to original League name or structure

- A local League is organized either as a municipal League based around a single municipality or as an area League encompassing more than one governmental jurisdiction. Area Leagues may include one or more counties or a large metropolitan area.
- A change in the name or organizational basis of a local League or League at large requires the approval of the state and national Leagues.
- Following approval of the locally recommended change in name or basis of organization by the local membership at an annual meeting, the local League/League at large shall forward the appropriate forms to the state board for its consideration, approval and recommendation to LWVUS.

Withdrawing recognition

(LWVTX Bylaws, Article IV. LOCAL LEAGUES AND LEAGUES A LARGE, sections 1 (c) and 2 (c)

The Services to Local Leagues Committee works with Leagues at large and local Leagues in membership and leadership development and assisting them to remain in good standing. When there is recurring failure to fulfill the minimum requirements per the LWVTX 2019 Bylaws, Article IV. LOCAL LEAGUES AND LEAGUES A LARGE, sections 1 (a -c) and 2 (a & b), the procedure to withdraw recognition will be initiated, as follows:

- A meeting of the members of the local League shall be called by the local League board
 of directors or League at large leadership team for the purpose of discussing and voting
 on disbandment.
- The state League Services to Local Leagues Committee chair shall be notified of the intention to call such a meeting. If the local board or leadership team is unwilling to call such a meeting, the state board shall call the meeting and notify the local members. (Contact the chair of the Services to Local Leagues Committee.)
- Members shall be told the purpose of the meeting and that absence from the meeting shall be considered a silent vote to disband unless the member communicates otherwise prior to the meeting.
- Upon a vote by the membership to disband the local League or League at large, the state board shall request the national board to withdraw recognition.
- Remaining local League or League at large funds, securities, and assets shall be handled in accordance with LWVTX Bylaws, Article IV, section 1(c) and 2(b) (relating to distribution of financial resources upon dissolution). (Updated 2019)

14. State Office

Environment

In order to promote a health-conscious environment and to protect our investment, the office space owned by the state League shall be a smoke-free environment. The workplace shall be free of illegal drugs and firearms.

Record and Document Retention & Archiving

LWVUS: Record keeping

LWVTX has removed its Record and Document Retention & Archiving from this document in order to create a separate and detailed Records Management Plan.

LWVTX board members should email drafts of important documents to the state office or save them in an LWVTX shared drive.

To preserve the long history of the state League, its historical records are located in the Texas Tech University Southwest Collection/Special Collections Library, Lubbock, Texas 79409; www.swco.ttu.edu.

Local Leagues

Local Leagues should adopt a retention and archiving schedule of records and documents as applicable. Local Leagues will make arrangements for archiving records in a location that is readily accessible in their local community.

15. Financial Policies

LWVUS: Money Matters

LWVUS: <u>Has Your League Filed Its Form 990-N Yet?</u> LWVTX: <u>Financial Guidance for Leagues at large</u>

LWVTX: Money Matters Made Easier for Local Leagues
LWVTX: Money Matters Made Easier for Leagues at Large

Local League Support of the State League

The state League receives a portion of its income from local Leagues through a per member payment (PMP) approved by convention delegates. Local Leagues' support payments may be paid in full at any time during the fiscal year ending May 31 or during the fiscal year on the following schedule:

- First payment due in the state office by July 31. At least one-fourth of total PMP shall be paid by this date.
- Second payment due in the state office by October 31. At least one-half of total PMP shall be paid by this date.
- Third payment due in the state office by January 31. Three-fourths shall be paid by this date.
- Fourth payment due in the state office by March 31. Full amount shall be paid by this date.

State services may be discontinued to a local League that fails to settle in full its PMP account by the end of the state League's fiscal year (May 31). The decision to suspend services shall be made by the state board on a case-by-case basis.

Only delegates from local Leagues that are current in their PMP payments will be allowed to vote at convention or the statewide conference.

Each local League shall submit to the state office the following financial documents no later than no later than one month after the close of the local League's fiscal year.

- Budget. Annual budget approved by members at the annual meeting.
- **Financial report.** Fiscal year-end financial report. (Local League financial information is included in LWVTX annual report to IRS.)
- IRS Form 990, 990 EZ, or 990 N. Return of Organization Exempt From Income Tax. (Photocopy or other evidence of filing)

Student Members Dues

Student members are defined as individuals enrolled either full or part-time with an accredited institution. PMP is not assessed for student members. Local Leagues determine the amount of dues (if any) for student members.

State Members Dues

The state board sets the state member dues.

Budget

- The state board and those appointed to off-board positions should monitor their expenditures to make sure that they do not exceed their budget.
- Committee chairs, and others with budget responsibilities, will be consulted about their budget priorities prior to the biennial Budget Committee meeting.

Reserves

- Sufficient funds should be placed in reserve to meet state League operating expenses for a 3 to 6 month period.
- The state board should approve a dollar figure for these reserve funds at the beginning of each fiscal year, and that amount should be kept in interest-bearing and/or fixed-income account(s).
- If funds are withdrawn in case of emergency, they shall be restored as soon as possible.

Contracts

- Contracts for services rendered by state board members or other representatives of the state League on behalf of the League shall be in the name of the LWVTX, not the individual.
- Usually, the executive director, the treasurer or the president of the state League is the authorized signatory on all contracts, letters of agreement, and other official documents.
- Contracts that have been signed with individuals for professional services shall be listed in the consent agenda for the next board meeting in order to preserve an official record of said hiring.

16. Personnel Policies

LWVTX: Personnel Policies and Procedures: A Manual for League Employees

Executive Director

- The board of directors, acting upon the recommendation of the Fiscal Management and Administration Committee, has the responsibility to hire and release the executive director.
- Regular and contract employees may be given a membership in the state League (state member) if recommended by the Fiscal Management and Administration Committee chair based on if membership will assist the employee in performing the job duties.

Student Interns

- Unpaid student interns participate in work activities that serve only their own educational interests and do not regularly perform the routine work of the organization on a recurring basis.
- Unpaid internships must comply with "The Test for Unpaid Interns" of the FAIR LABOR STANDARDS ACT found at https://www.dol.gov/whd/regs/compliance/whdfs71.htm

Student Volunteers

 A League student volunteer is a student member of the state League participating in an internship that does not meet all of the criteria for an unpaid internship. In lieu of compensation, the state or local League shall pay the annual student membership fee for the intern as long as the student continues as a volunteer.

17. Fiscal Management

Banks and Financial Institutions

- All funds of the state League shall be deposited to the credit of the state League in banks and financial institutions recommended by the Fiscal Management and Administration Committee for approval by the board.
- The president and/or treasurer of the state League are the authorized signatories on the accounts of the state League. The president and treasurer may authorize additional signatories for special accounts.

Bonded

- The president, treasurer, and executive director of the state League shall be bonded.
- If new accounts are needed or accounts are to be moved, the institution(s) shall be recommended by the Fiscal Management and Administration Committee for approval by the board. Authorized signers shall be the president, treasurer, and any others whom they may jointly designate.

Treasurer's Reports

At each state board meeting, the state League treasurer shall provide state board members with financial reports, including at least once each fiscal quarter:

- An Income Statement for the most recent fiscal quarter
- A Balance Sheet for the most recent fiscal guarter
- Any revision of the budget that must be approved by the state board.

Purchasing and Contracting

• When practical, two or more cost estimates shall be obtained when an expenditure of more than \$500 is anticipated.

Investment Policy

All funds, restricted or unrestricted, are held by the board of directors as fiduciaries (stewards) for carrying out the mission of the League. The following investment, objectives, and directions are to be judged and understood in light of the overall sense of stewardship.

Delegation

- The state board has delegated supervisory authority over its financial affairs to the Management Committee.
- The Management Committee is responsible for regularly reporting on investments to the full board.
- In carrying out its responsibilities, the Management Committee and its agents shall act in accordance with this Investment Policy and all applicable laws and regulations.
- The directors reserve to themselves the exclusive right to revise the policy and/or to grant exceptions to the policy where appropriate.

Objectives

- The primary investment objective is to preserve and protect League assets by earning a total return for each fund appropriate to each fund's time horizon, liquidity needs, and risk tolerance.
- The secondary objective is to appreciate the total value of the portfolio over time, exclusive of growth derived from investments.

Asset mix

- A. Asset mix is the primary determinant of the League's portfolio performance.
- B. Asset mix may be changed from time to time based on the economic and security market outlook as well as income requirements.
- C. The overall risk level of assets, in terms of potential for price fluctuations, should not be extreme.

The primary means for achieving such risk profiles are:

- Balanced diversification between equity and fixed income investments
- Careful control of the risk level within each asset class through avoidance of overconcentration and by not taking extreme positions against the market averages
- Emphasis on stable growth rather than capital gains
- D. Recommended asset mix:

Recommended Asset Mix Among Common/Convertible Equities, Fixed-Income U.S. & Corporate Bonds, & Short-Term Cash & No More Than 1-Year Notes

	Common/Convertible Equities	Fixed-Income U.S. & Corporate Bonds	Short-Term Cash & No More Than 1-Year Notes
Short-term reserves	0%	0-50%	50-100%
Long-term reserves	50-90%	10-50%	0-15%
Endowment	50-80%	15-50%	5-20%

Endowment

Endowment is defined as the principal of gifts and bequests accepted with donor stipulations that:

- 1. the principal is to be maintained intact in perpetuity, for a specified period or until a specified event occurs, and
- 2. only the income on the fund's investments may be expended for general purposes specified by the donor (Income is defined as the increase in the market value of the endowment over the principal of the endowed gift or bequest.)
- 3. LWVTX does not currently hold any endowment funds.

Investment limits

The Fiscal Management & Administration Committee is responsible for managing investments within the parameters described in this section and as approved by the board.

Investment restrictions

A. The portfolio must be invested at all times in strict compliance with applicable laws and regulations, and all investment decisions shall be made in accordance with the

- prudent person rule.
- B. All investment must be U.S. dollar denominated.
- C. Commercial paper must be rated in the two highest quality classes by Moody's Investor's Service, Inc. (P1 or P2) or Standard and Poor's Corporation (A1 or A2).
- D. Negotiable certificates of deposit shall be limited in principal amount to FDIC or FSLIC insurance ceilings.
- E. Not more than 5% of the voting securities of a corporation may be owned.
- F. No securities may be purchased on margin or leverage.
- G. No short sale transactions shall be made.
- H. Transactions in financial futures and options are prohibited.
- I. No more than 25% of the portfolio shall be invested in any one industry at cost.
- J. No more than 5% of the portfolio shall be invested in securities (including debt and equities) of one corporation at cost.
- K. Securities that are traded only in foreign markets shall not be included in the portfolio.
- L. Only securities listed on the New York Stock Exchange, the American Stock Exchange, or the NASDAQ Over-the-Counter market shall be included in the portfolio.
- M. All equity investments will satisfy minimum quality rating of B by Standard and Poor's or a 3 safety rating by Value Line.
- N. No funds ranked below average by Morningstar may be considered.
- O. Investment in structured notes is prohibited.

Investment criteria based on mission or social responsibility

The state League intends to invest in companies whose business conduct is consistent with League goals and beliefs. Therefore, the Management Committee will use its best efforts to avoid investing directly in the securities of any company known to participate in businesses the board deems to be inconsistent with the goals and beliefs of the League.

Reviews and Reports

Portfolio Review

The Management Committee is responsible for monitoring the performance of portfolios on a quarterly basis.

The Management committee shall review:

- the assets and net cash flow of the portfolios
- Statistics on the investment performance.
- Significant revisions to the expected long-term trade-off between risk and reward on key asset classes, dependent on basic economic/social/political factors.
- shortcomings of the policy that emerge in its practical operation.
- Discuss the current economic outlook and investment plans
- Authorize any redirection of cash flow, transfers of assets, or sales/purchases to ensure such compliance within 12 months.

Annual Portfolio Report

The Management Committee shall provide an annual report to the board including:

- 1. Asset allocation
- 2. Investment performance
- 3. Future investment strategies
- 4. Any other matters of interest to the state board
- 5. A summary of all transactions in the fiscal year
- 6. A report of investment performance for the year of the portfolios

Cash flow requirements

The Management Committee will be responsible for providing adequate liquidity to meet the League's cash flow requirements

Withdrawals from reserves

- Withdrawals from reserves for current operations are limited to a sum equal to 5% of the average of the past 3 years' market value of the assets.
- Within this limit, the Budget Committee shall annually set an amount, if any, to be withdrawn by the Treasurer as needed to meet specific League obligations, and
- At the recommendation of the Management Committee, the board may authorize additional withdrawals from reserves.

Gift Acceptance

LWVTX guidelines for accepting gifts are reviewed every three years and are created to:

- protect the interests of the donor, the League, and program or event named as the beneficiary of a gift
- assist in structuring gifts to the League to provide maximum benefits to the donor and the League.

General guidelines

This policy applies to all gifts made or offered to the League. The League welcomes expressions of interest and financial support regardless of size or form, from any individual, family, business, corporation, foundation, or similar source.

Types of gifts

Commitments to the League and/or payment of same may take the form of one, or a combination, of the following:

- Personal gifts by cash, check, credit card
- Corporate matching gifts
- Corporate or foundation grants
- Multi Year pledges
- Appreciated securities or other readily marketable personal assets (which are sold as soon as possible)
- In-kind goods and services
- Real estate

Real Estate Gifts

A. Before accepting any gift of real estate, the League shall perform a due diligence review of the property, including a title search and a Phase I environmental review.

B. Any expenses associated with the transfer of the property to the League or any due diligence must be borne by the donor.

C. Inspection

- a. The inspection must be made by a licensed environmental consultant, who must certify, within the context of a Phase I Site Assessment, that no contamination exists before the property may be accepted.
- b. The inspection should be performed in general conformance with the scope of ASTM Practice E1 527.
- c. The expense of inspection must be borne by the donor unless an exception is approved by the state board.

D. Criteria for accepting gifts of real estate

Gifts of real estate are acceptable only after all the following nine criteria are met.

- 1. It has been determined that no reasonable possibility exists that the property could be contaminated by toxic waste.
- 2. An appraisal satisfactory to the <u>IRS gift substantiation requirements</u> has been completed, and the League and donor have reached an understanding as to the valuation of the property.
- 3. The effects on and implications for the League of debt, insurance, homeowners' association fees, property taxes, and other carrying costs have been assessed.
- 4. Appropriate steps have been taken to determine if any other liabilities might attach to the property such as leases, contracts, assignments, or servitude.
- 5. All pertinent information regarding the property is supplied by the donor. This would include names of owners and co-owners (and percentage ownership), recent tax statements, address and/or legal description, and description of current use.
- 6. Donor must convey all his/her undivided interest in the real estate, including any mineral interests.
- 7. The League may recover any costs of managing real estate by charging a fee that is determined by the schedule set by the state board.
- 8. The donor must be willing to bear the costs associated with the gift of real estate, such as legal fees, real estate commissions, management fees, and expenses for due diligence, title searches, and appraisals.
- 9. The state board must approve any exception.

Gift Review by counsel

The League will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate.

Review by counsel shall be sought for the following:

- 1. Transfers of closely held stock
- 2. A gift of residence or farm with a retained life interest
- 3. Documents naming the League as trustee
- 4. Gifts involving contracts
- 5. Transactions with potential conflicts of interest that may invoke IRS sanctions
- 6. Other instances in which advice of counsel is deemed appropriate by the Management Committee.

Gift Restrictions

The League accepts both restricted as well as unrestricted gifts provided that donor restrictions

do not significantly diminish the value of the gift and are consistent with the stated mission, purposes and priorities of the League. As a general rule, unrestricted gifts of cash and marketable securities allow the board of directors the greatest flexibility in directing resources toward those programs that can best strengthen the organization and advance its mission. Generally, the League cannot accept gifts that entail significant additional expense for their present or future use, maintenance or administration. Gifts other than cash and marketable securities will be evaluated by considering the following criteria:

- Is the gift consistent with the mission of the League?
- Is the property marketable?
- Are there undue restrictions on the use, display or sale of the property?
- What are the risks and costs associated with accepting the gift?
- Do any restrictions on the gift outweigh the potential benefits to the League?

Gift Appraisal

If the value of the gifts other than cash or marketable securities exceeds \$5,000, the donor must have a qualified appraisal performed and submitted to the IRS. Gifts valued at \$5,000 or less may be reported at the value declared by the donor or qualified expert. The League will comply with all current IRS regulations regarding charitable contributions.

Gift recognition

- 1. The League will acknowledge and recognize all gifts appropriately and promptly.
- 2. The League acknowledgement will inform the donor of any benefits provided in exchange for the contribution. Goods and services provided will be considered insubstantial as long as the fair market value of the benefits does not exceed the <u>IRS regulations regarding</u> charitable contributions.
- 3. The gift record of a donor whose gift is matched by the donor's company will be credited for the total amount of the individual gift plus the corporate matching gift.
- 4. Upon request, the League will provide gift receipts meeting <u>IRS substantiation</u> requirements for property received by the League as a gift. However, except for gifts of cash or publicly traded securities, no value shall be ascribed to any receipt or other substantiation of a gift received by the League.

Gift Confidentiality

- 1. Gifts may be acknowledged in League publications unless the donor requests anonymity.
- 2. However, all information concerning prospective and current donors, including names and addresses, names of beneficiaries, nature and value of estates or other assets, and planned gift provisions shall be kept strictly confidential by the League, its volunteers, and its staff.
- 3. With discretion, however, and if the donor or executor grants permission, authorized personnel may use selective information for purposes of referral, testimonial, or example.

Donor responsibilities

The ultimate responsibility for asset evaluations, tax deductibility, and/or similar federal, state, and/or local compliance issues rests with the donor and any advisors that the donor shall secure. The League recommends that all donors consult with their own legal tax counsel when planning all gifts, especially noncash gifts or future planned gifts.

Gift Acceptance Committee

- 1. Members of a gift acceptance committee shall consist of the president, one vice president, treasurer, and anyone else appointed by the state board.
- 2. A gift acceptance committee is charged with the responsibility of reviewing all noncash gifts and restricted gifts made or offered to the League, properly screening, and with the advice of counsel where needed, accepting those gifts that are deemed appropriate. The gift acceptance committee will make recommendations to the state board on gift acceptance issues as required. The state board must approve any gifts that carry potential legal or financial liabilities for the League.
- 3. The president or the president's designee shall have authority to sign planned giving agreements on behalf of the League. Any agreement that does not meet the conditions of this policy shall require the approval of the state board. The state board reserves the right to accept (or in cases where necessary, to decline) any commitment or gift that is offered to the League.

Reimbursement

Vouchers

- Those eligible to seek reimbursement shall submit vouchers and supporting documentation to the League treasurer to receive reimbursement and should submit similar information to document expenses for which they are not requesting reimbursement.
- When those eligible choose not to be reimbursed, they may document their actual expenses without regard to the limits established for reimbursement as long as the expenses are reasonable and customary.

Complimentary Tickets

- No reimbursement or complimentary tickets are provided for board members or their guests.
- All board members attending League special or fund development events shall purchase tickets that are not included in registration no matter when/where the event is held.

Reimbursement rates

State board members, those elected or appointed to off-board positions, and staff may request full or partial reimbursement from general operating funds for actual expenses incurred in the performance of their League duties, within the constraints imposed by the budget at the following rates:

- 1. Telephone, postage, photocopying, and essential supplies at actual cost
- 2. Travel
 - A. Travel by public transportation at actual cost including tips.
 - B. The least expensive means of transportation that is feasible shall be used.
 - C. In January of every year, the treasurer shall update the vouchers provided for staff and member use with the current IRS mileage reimbursement rate for League travel.
 - D. Board member travel may be reimbursed or make an in-kind donation at the rate per mile driven in service of charitable organizations.
 - E. Staff travel may be reimbursed at the rate allowed per mile for business miles driven.

3. Parking, tips, fees

• Parking and necessary tips and fees are reimbursed at actual cost with receipt.

4. Lodging

 Lodging at actual cost, allowing one-half room per person unless the board directs otherwise, or unless a single room is required when traveling alone on League business

5. Meals and incidental expenses

- A. Budgetary constraints do not permit reimbursement of meals and incidental expenses.
- B. Meals and incidental expenses while away from home overnight are tax deductible as in-kind contributions to the League at current IRS/U.S. General Services Administration amounts and guidelines.
- 6. Registration fees for conferences/workshops at actual cost
- 7. Other types of actual expenses if the board permits:

A. Project Budgets Reimbursement

- State board members, those elected or appointed to off-board positions, and staff may request reimbursement from funds at the rates listed in the project's budget.
- Such budgets shall be based on actual costs, and
- Reimbursement requires documented expenses.

Exhibit 114



CONVENTION MANUAL

League of Women Voters of Texas & League of Women Voters of Texas Education Fund

Revised Spring 2012

This manual is intended to be a guide for the Convention Planning Committee, the Local Host League and its Local Arrangements Committee, the State Office, State Board, and Services to Local Leagues Committee. Circumstances may require adjustment to the procedures and guidelines outlined in this manual.

Recommendations for changes to procedures and guidelines may be submitted to the LWV-TX Convention Planning Committee at any time during the Convention planning process.

Specific Contact Information for 2012 Convention (as of January 2012)

[This page can be updated with specific contact names & dates for Convention 2014]

State Office (SO)

Justine Quinn, Executive Director 1212 Guadalupe St, #107, Austin, TX 78701 512-472-1100 (phone); 512-472-4114 (fax) lwvtexas@lwvtexas.org

Convention Planning Committee (CPC)

Chair: Chris Davis Garcia (361-991-2784 hm; 361-244-4193 cell); cgrg@earthlink.net

Members: Program VP: Janet Imhoff (972-547-4270 hm; 903-821-4682 cell)

Auction: Susybelle Gosslee (214-349-0269 hm; 214-732-8610 cell)

Floor Committee: Edie Jones

Public Relations VP: Linda Krefting (806-793-6136 hm; 806-790-3062 cell) Organization VP: Dee Brock (SLL) (903-565-6655 hm; 903-565-6653 cell)

Local Host League (LHL)

LWV-San Antonio (Phyllis Ingram, president)---- pingram1@sxtx.rr.com; 210-764-1557 Contact: Elaine Talarski, member---- etalarski@earthlink.net; 210-573-0476 (cell)

Local Arrangements Committee (LAC)

Thursday Evening Supper for LWV-TX Board: Nancy Price

Friday Night Event: Elaine Talarski

Volunteers: Elaine Talarski

Registration Desk: Phyllis Ingram Local PR/Publicity: no one designated

Sponsorships (3 hallway breaks, Auction Room hospitality): Phyllis Ingram

Important Deadlines for Convention (required in Bylaws/Policies & Procedures)			
Days Before Action(s) 2012 Convention		Actual 2011-2012 Dates	
180	Start preparing convention budget	Friday, Oct. 7, 2011	
120	1 st call to convention (may advance or postpone date by not more than 14 days)	Monday, Dec. 12, 2011	
90	Recommendations for program and concurrences from LLs to State Board (3 months ahead)	Friday, Jan. 13, 2012	
42	Final call to convention with specific information 42 days before first session of convention	Friday, March 2, 2012	
42	LLs that want to propose concurrence at Convention send notice to other LL presidents, MAL Unit chairs, and State Board	Friday, March 2, 2012	
30	Nominating Committee report to LLs, MAL unit chairs	Tuesday, March 13, 2012	
30	Recommended and non-recommended program sent to LLs and MAL unit chairs	Tuesday, March 13, 2012	
30	Proposed budget sent to LLs and MAL unit chairs	Tuesday, March 13, 2012	

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PREFACE

Purpose of State Convention

State Convention is the most important meeting of the League of Women Voters of Texas. It requires careful planning and involvement by the state board, the state office, the local League host and other chairmen who might be involved by virtue of a special program or awards ceremony.

Convention emphasizes the grassroots nature of the League by providing an opportunity for local Leagues to determine the future of the organization. It provides an opportunity to promote membership and reach out to students and young adults who are issue-oriented. It is typically a three-day meeting held in April of even-numbered years. The number of delegates from each local League is determined by Article VII, Section 2 of the bylaws of the League of Women Voters of Texas.

Convention delegates consider and adopt a program; elect officers, directors, and a chair plus two members of the nominating committee; adopt bylaws changes, a two-year budget, and per-member-payment (PMP) for the biennium; and transact such business that may be presented. General workshops are part of Convention and a special luncheon or dinner program is usually planned. The state board members usually arrive about noon on the day before the Convention to accomplish several tasks, including final review of convention plans; training of Plenary volunteers; and final review of hotel and convention arrangements.

This manual has been prepared to give guidance to those responsible for seeing that the state Convention is a success. Included is a delineation of the responsibilities of the state board, state office staff, and local host League.

Who's Who in the Convention Planning Process for 2012

SO = State Office of the LWV-Texas

 $SB = State\ Board$

CPC = Convention Planning Committee

LHL = Local Host League

LAC = Local Arrangements Committee

SLL = Services to Local Leagues

D&M = Development and Marketing (specifically involved if luncheon/banquet are "fund raisers")

Convention Planning Responsibilities At a Glance

Specific duties to ensure a successful State Convention have been assigned as follows:

- The **SO** works closely with the CPC to coordinate Convention and provide continuity from convention to convention.
- The **SB** is the final arbiter of decisions involving Convention and is also responsible for identifying a host League, keynote speakers, and the Parliamentarian (who has travel and lodging expenses underwritten)
- The **CPC**, with direction from the State Board, provides general oversight of Convention planning and works directly with those involved in programming components; reports regularly to the Board.
- The LHL, in partnership with LAC, coordinates local arrangements for a special event on Friday evening; identifies at least three local business sponsors for convention breaks; provides adequate number of volunteers for convention; mans registration desk; arranges for a simple meal (at a personal residence or restaurant) for the State Board members on the Thursday evening preceding Convention; and assists CPC as requested.

Fundraising responsibilities are divided between CPC and D&M as follows:

CPC has responsibility for arranging/deciding/recommending to the Board:

Silent auction

Live Auction and auctioneer (with input from D&M)

Registration fee

Luncheon/banquet price(s) for convention attendees

D&M has responsibility for arranging/deciding/recommending to the Board:

Sponsorships for convention, luncheon, and banquet (beyond those needed for convention breaks)

Identifying and ordering LWV merchandise to sell during convention

Fund-a-Need, if utilized at Saturday banquet

Pricing of LWV merchandise to be sold during convention

Work on these begins at least by Fall before Convention if luncheon and/or banquet during convention are to be fundraisers; invitations and sponsorship fees for those outside LWV; fundraising beyond the specific responsibilities of the CPC/LAC (i.e., mail solicitation if honoring one of our own or holding a raffle).

SELECTION OF CONVENTION SITE, DATES, AND FACILITY

Local Leagues interested in hosting Convention should extend an invitation at the prior Convention. The State Board selects and officially confirms the host League at the first state board meeting after Convention. The State Board also determines possible April dates for Convention after consulting with LHL regarding local availability in the designated city. The LHL should be aware of community events in its city during the convention month of April and also national holidays or observances that could impact dates identified for the Convention.

LHL takes the lead in identifying two or three possible hotel sites and works with the CPC to review possible convention sites and recommend a facility that offers appropriate accommodations, meeting spaces, and parking at reasonable costs. The CPC considers the recommendation and then makes a final recommendation to the State Board. The State Board makes the final decision whether or not to accept the recommended facility.

The contract with the Convention hotel should be signed by the Winter Board meeting (approximately 15 months ahead of the Convention date) and involves the Convention chair, SO, and LWV-TX President.

The SO, in cooperation with the CPC, works with the proposed hotel to write a contract that locks in the convention dates selected and specifically identifies rooms/spaces needed for the convention. The contract is signed by the SO executive director and/or the Board president, and any advance payment needed is handled by the SO. The CPC maintains contact with the designated hotel staff throughout the planning process, with assistance by the LHC.

CRITERIA FOR HOSTING A STATE CONVENTION

1. Volunteer strength: Approximately 15-20 members of the Local Host League

2. Facility requirements:

- a. Sleeping rooms-At least 90 to 120 rooms (can sleep 2-4 to a room) at a reasonable price
- b. Large meeting room for plenary meeting > classroom style facing front with tables and chairs for 150-plus; dais facing audience with seating for 8-10 people; extra seating for observers not seated with their LWV delegations.
- c. Four to six small meeting "breakout" rooms for workshops, caucuses, Q&A sessions, etc., with each room seating approximately 30-50 people.
- d. Ballroom(s) (separate from plenary meeting room)-seating at round tables for 90-180 for luncheon or banquet
- e. Room for silent auction display and recordkeeping table
- f. Meeting room for state board meeting, seating from 15-20 (U-shape or conference style)
- g. Registration space in a lobby area, with tables

3. Required Services (must be readily available to convention planners)

- a. Copier and other business services
- b. Restaurants in hotel and within walking distance
- c. Public, taxi, or locally arranged transportation to airport and local attractions
- d. AV vendor with equipment for Plenary and workshop rooms
- e. Wireless internet connection in hotel lobby, all meeting rooms, and in sleeping rooms

4. Accessibility

- a. Convention site should be served by an airport with major airlines
- b. Facility/rooms must be special needs-accessible

5. Affordability

- a. Hotel room rates should be negotiated to make prices affordable to all delegates. Hotel contract should allow for maximum number of rooms anticipated, with two or more beds as possible per room
- b. Minimal/no charge for meeting rooms
- c. Affordable registration fee/special event fee assessed by state board

6. Community Support

- a. Legitimate "potential" by Local Host League to help secure underwriting for coffee breaks and an evening social function if needed, etc.
- b. Local Convention and Visitors Bureau may donate "goodie" bags for delegates

TYPICAL SCHEDULE AND OVERVIEW OF CONVENTION

(may be modified to fit purpose/goals)

Thursday:

10:30 a.m. Training for Floor Committee and Volunteers

1:30 p.m. Board Meeting

5:30 p.m. Informal dinner for State Board, hosted by Local Host League

Friday:

11 a.m.-7 p.m. Registration; Auction Room open for bidding; League merchandise available

for purchase; lunch on own for delegates

1:30 - 5 p.m. Workshops

6 p.m. Special Event by Local Host League 9:30 p.m. Caucus and Q&A Sessions as planned

Saturday:

7-8:30 a.m. Breakfast on own for delegates

8 a.m.-Noon Registration continues; Auction Room open all day except during Plenary

8:30 -Noon Plenary

Noon Luncheon or special meeting as scheduled by LWV-Texas

2 -5:30 p.m. Plenary continues

6:30 p.m. Special event or banquet as planned by LWV-Texas

9 p.m. Resolutions Committee, Budget/Q&A and/or Caucus meetings as scheduled

10 p.m. Auction Room closes; bidding concludes; items picked up by winners

Sunday:

7 -8:30 a.m. Breakfast on own for delegates

8 a.m. Recommended Resolutions posted in Auction Room

8:30 -1 p.m. Final Plenary; Adjournment of convention

1-1:30 p.m. Final auction items picked up; all Convention materials gathered for return to SO

1:30-2:30 p.m. Board Meeting/Luncheon for Newly Elected Board

Hotel Accommodations Needed for State Board and InvitedGuests;

The Executive Director of LWV-Texas is authorized to reserve sleeping rooms at the host hotel for all State Board members as well as the Parliamentarian and the chairs of Nominating and Budget. As always, Board members and chairs are assigned two per sleeping room and have lodging provided for Thursday, Friday, and Saturday nights. At the direction of the state president, other complimentary rooms may be provided for invited guests (i.e., keynote speaker, LWVUS guests).

Details about State Board Registration, Other Expenses

Members of the State Board receive complimentary registration for convention but do pay the designated costs for any special ticketed meals and/special events which they plan to attend. Board members remit that payment directly to the State Office when they register for convention.

TIMETABLE

In Advance:

2 Years ahead of Convention date:

At previous Convention, **SB** encourages local Leagues to consider hosting Convention, giving possible dates, accommodations needed, and guidelines.

LWV Texas president appoints **CPC**. The chair, in consultation with the **SB**, is responsible for the Convention program and will advise/work closely with the host League.

The LHL is named and asked to appoint its LAC. The CPC confers with the SO and the previous Convention chair regarding arrangements, planning, and recommendations.

CPC and LHL visit possible Convention facilities and recommend one or more sites to the SB. CPC assesses the proposed sites to assure adequate space and availability.

1 1/2-2 Years

With input from LHL, CPC recommends to SB a Convention site and dates available; the Board approves the site and dates.

CPC confirms the hotel arrangements, including the room rate, and finalizes a contract with the hotel. The hotel sends the contract and pertinent correspondence to the SO for appropriate approval signature(s).

12-16 Months (July-October Before Convention)

Outside speakers—The State Board discusses whom to ask as outside speakers and when speakers should be scheduled. The state president invites key speakers and the parliamentarian and the CPC is responsible for seeing that invitations are sent to other speakers (with the exception of local government officials, who are invited by the LHL). The State Board may solicit names of potential speakers from the LHL.

CPC, through the SO, sends a copy of the immediate past Convention manual (with suggested changes), past Convention evaluations, suggestions from the LHL and any other instructions to the newly named chair.

At its Summer Board meeting, the **SB** discusses possible Convention fundraising opportunities and directs D&M for follow-through. The Board decides whether or not merchandise should be made available at Convention and whether or not a Silent and/or Live Auction will be staged. **LHL** may begin soliciting local items of interest for the auction, working closely with the designated Auction chair.

July-October

CPC selects a theme and logo with input from **LHL** and others. See Page 13 for information on Theme and Logo.

D&M, with assistance from SO and the Board, identifies sponsors/donors to defray Convention-related expenses. **CPC** and **LHL** begin identifying possible sponsors for coffee breaks and luncheon/banquet events. LHL can provide leads from its local business community that might be corporate funders.

Auction Chair notifies Leagues and League members about Silent Auction and requests items for the auction.

The LHL appoints and convenes LAC to handle local arrangements as defined by the State Board and may use its discretion in assigning responsibilities. It is recommended that the following functions be assigned chairs and committees:

Local Arrangements Committee Chairs

- Special events (Thursday board dinner,
 Friday night event for Convention delegates)
- Volunteers/personnel needed for Convention registration, designated events/tasks
- Public relations/publicity
- Fundraising/underwriting of morning/ afternoon breaks during Convention

The LHL will send a list of the LAC names, addresses, fax numbers, phone numbers, and e-mail addresses to the CPC and SO to facilitate communications.

CPC begins work on the budget and registration fee to be approved at the Fall State Board meeting before Convention. The budget should include all Convention expense and income figures from previous convention, including anticipated costs for outside speakers and for off-board attendees/special guests.

Prior To/At the Fall LWV-TX Board Meeting before Convention

CPC, in cooperation with State Board and D&M, makes decisions about Convention agenda, special events/banquet/luncheon, meeting and workshop timelines; works with the Treasurer to prepare and approve a proposed budget.

CPC requests a preliminary report from the LAC regarding arrangements for the board dinner on the Thursday evening before Convention begins. LAC may be invited to attend the Fall meeting to provide update.

LHL extends invitation to Mayor or other elected official to bring greetings at the opening Saturday morning Plenary and confirms date. This is very important and should be done by the host League at least six months before the event, with update to the CPC.

CPC visits the host hotel to finalize room assignments and assess the layout for Plenary, registration/information desk, luncheon and banquet, Auction room, and workshop spaces.

CPC obtains menus and meal prices for approval by Board and determines banquet charges for those not registered at the hotel. These charges must be approved before Convention registration forms are printed.

CPC and State Board establish guidelines for meal guarantees, refunds and designated deadlines, prepayment for all meals, etc. Information will be clearly communicated to Local Leagues and League members in early December and in other communications.

LWV-TX Vice Presidents begin to plan workshops and invite workshop speakers. Equipment, meal, nametags, and other needs for speakers are communicated to the State Board and CPC.

CPC and SO begin to design Convention registration forms to be included in mailings to local Leagues and League members as well as in the *Voter* and on the website. Auction chair sends request for items to all Leagues and previous donors.

At the Fall Board Meeting, **LHL** brings report to State Board about special Friday night event, recruitment of volunteers, and possible convention break sponsors.

December before Convention

CPC, in cooperation with State Board and SO, meets the early December deadline (120 days ahead of convention) of "First Call" to Convention mailing to Local Leagues--basic information, tentative agenda, hotel reservation, registration fee, room cost, special events.

CPC and State Board President, in consultation with **SO**, plan and coordinate preparation and distribution of the following materials for the Call to Convention notification (electronic email, website, and physical mailing) to Local Leagues and League members:

- 1. call to Convention
- 2. registration forms for delegates/visitors/observers
- 3. hotel reservation information
- 4. descriptions of special events and workshops
- 5. promotional information on host city; appropriate maps and travel instructions from major highways
- 6. Invitation flyer from **LHL** to Friday night event, with registration form and instructions for payment
- 6. local League publication sales/exhibit space
- 7. Silent Auction/Live Auction

Prior To/At the Winter LWV-TX Board Meeting

State Board approves the Convention budget at the Winter board meeting, if not already done at Fall Board Meeting.

LAC representatives attend the Winter Board meeting to report on the status of Convention and to receive information from CPC on specific volunteer responsibilities.

The Policy/Bylaws/Rules Committee recommends and the Board approves the Standing Rules for Convention.

SLL and **Board President** identify materials to be included in the Delegate Packet for distribution at Convention.

D&M decides on merchandise to order for sale at convention and recommends to the State Board.

SLL works with **LHL** and **CPC** to determine what maps and instructions to Local Leagues should be prepared for Convention publicity and Delegate Packet.

State Board, CPC, and SO prepare materials for the Convention Delegate Workbook distributed at registration table.

Convention Delegate Workbook:

- a. Agenda > President
- b. proposed Convention rules→Bylaws, Polices & Procedure Chair
- c. tips on parliamentary procedure *
- d. tips to delegates *
- e. proposed slate of officers and director > Nominating Committee
- f. current program→CE VP
- g. proposed program > CE VP
- h. not-recommended program→CE VP
- i. PMP summary sheet→Treasurer
- j. proposed amendments to the bylaws→Bylaws, Policies & Procedure Chair
- k. proposed 2-year budget → Treasurer
- annual reports from Board committees → VP
 does the one for his/her committee; also Website
 chair provides report for workbook
- m. **directions** to the hotel/hotel information \rightarrow CPC
- n. LRP report →LRP committee chair

Board President confirms Convention attendance with Board members.

Late January/Early February Before Convention

LHL confirms name of Mayor or other local elected official who will welcome delegates on the Saturday morning of Convention and notifies CPC for inclusion of name in the Delegate Workbook and Plenary order of business.

Delegate Workbook information is due to State President from **committee chairs**, **LHL**, and **CPC**; compilation and editing begins and production and printing timeline is established (usually early March)

CPC, **Board**, **and SO** confirm information on all aspects of Convention business, including final call materials, delegate count, and mailing to Local Leagues and League members.

SO orders merchandise to be sold at convention, as recommended by D&M.

Mid-February/Early March Before Convention

Auction Chair initiates preparation of materials for the silent auction including bidding forms, master record, room decorations, etc; continues to solicit items not only from Board members but Local Leagues.

SO finalizes merchandise to be sold, pricing, money boxes, and petty cash needed for Convention.

Board and **CPC** confirm early March deadline ("Final Call" to Local Leagues is 42 days before convention) to prepare Convention mailing and gather appropriate materials for the Texas VOTER and the website.

Silent auction chair prepares materials describing auction items for inclusion in all publicity sent to Leagues and League members.

LHL prepares and gives to CPC the final Friday night event notice for inclusion in the Convention mailing and for placement on the website.

CPC and **State Board** make final plans for training of volunteers and remind **LAC** to notify volunteers.

CPC gathers materials for Convention Delegate Packet including the following:

From SO, items for the Convention Delegate Packet (items in folder)

final agenda
list of delegates
list of Who's Who at Convention
Convention/workshop sevaluation form
auction catalog and final call for items

^{*} Carried over from previous convention workbooks

From LHL

list of volunteers & cell phone contact info information regarding local attractions map of city and travel instructions
Friday evening event information, regarding travel plans, attire, etc.

March

SO establishes electronic system for recording registrations, meal reservations, and special event/workshop reservations. An Excel or Access database has been used in the past.

"Final call" to Convention is directed to Leagues and League members, with information on hotel reservation, registration, etc. **SO** monitors website registration.

SLL contacts local Leagues not registered for Convention to invite them to attend if preliminary registration shows no response.

CPC and **SO** confirm special equipment needed for all workshop sessions and **CPC** confirms equipment needs with hotel or that **LAC** can help secure.

CPC keeps track of meals and other materials needed by workshop speakers and shares information with SO.

The host hotel prepares detailed Banquet Event Orders (BEOs) for each event at Convention, specifying meeting rooms, equipment needs, catering needs, seating, etc. The BEOs are reviewed carefully by **CPC** with the hotel management, and during convention, the convention chair reviews BEOs as they are presented by hotel staff.

LAC and CPC confirm final volunteer requirements.

PR Vice President contacts the LAC PR volunteer regarding local publicity for the Convention.

SO and CPC coordinate plans to see that all supplies are available or on order, including pocket folders, numbered three-part motion forms, name badges that will distinguish delegates from observers, ribbons to identify various League leaders, meal lists, signs identifying each local League and state board member, etc. (See generic list of supplies at end of this convention manual.)

Late March/Early April before Convention

PR Vice President writes news release about convention and works with **SO** to distribute news release to all state and local media as well as to Local Leagues.

State Board President recruits members to be appointed to the committee to review the Convention minutes, the Credentials Committee, the Action Motions Committee, the Resolutions Committee, and the committee to oversee an election, if one is held.

State Board President decides seating arrangements for the Plenary dais and head tables (if needed) at special events and makes sure that the information is conveyed to the CPC and LAC.

CPC begins preparation of a scripted agenda for convention and confirms all details with **State President**.

SLL and State President finalize materials to be included in the Delegate Packet, and **SO** prepares the materials.

State President prepares Pre-Board for Board meeting that precedes Convention and the Plenary order of business.

In consultation with **State President and LHL**, **CPC** determines timeline, quantity, and who will assemble Delegate Packets prior to start of Convention; completed Delegate Packets must be ready at the host hotel by late afternoon Thursday before Convention starts.

CPC confirms all materials are ready and available for the Convention Delegate Workbook and packet.

2 Weeks prior to Convention

CPC works with **SO** to prepare Reminder email to League members with all pertinent information.

SO will send **CPC** all <u>forms and instructions</u> for Plenary session volunteers prior to training session.

CPC confirms volunteer training and trainers and sends reminder to LAC and State Board members.

State Vice Presidents confirm speakers and workshop presenters and report to **CPC**.

1 week Prior to Convention

As per stated deadlines, **CPC** and **SO** notify the hotel regarding final meal counts for luncheon and/or banquet events; number of Convention attendees; and confirms needed equipment/final setup with hotel.

CPC finalizes plan for Delegate Packet/Workbook assembly and confirms details for training session for LAC volunteers.

Convention delegate workbook is emailed by **SO** to all registrants and other guests, as needed.

April CONVENTION

State Board members and **SO** arrive on Thursday and meet in Board meeting to review final convention details with hotel staff, **LAC**, and **LHL**.

CPC coordinates training session for volunteers working registration, Floor Committee, etc.

The **SO** and **CPC** set up the Plenary room with League signage; make sure merchandise, Auction items, registration desk, and other designated spaces are set up and ready.

The **State President** gives specific assignments to board members to greet Convention speakers and outside workshop leaders, etc.

As the Convention gets underway, **CPC and LAC** volunteers are visible and available to answer questions.

After Convention:

SO and Board dismantle the Plenary room, Convention office, Auction Room, etc. and pack up any remaining materials to be returned to the state office.

SO returns all funds to the state office for deposit.

CPC, Board president, and LAC determine how thank you letters will be prepared for Convention speakers, workshop leaders, guests, donors, the host League, and volunteers.

The **state PR Vice President** provides a sample news release to Local Leagues announcing new state board members and convention highlights with space for the list of local delegates to all local Leagues included.

CPC, with help from SLL, compiles the delegate evaluation forms and requests evaluations and recommendations from the local Convention chair and committee.

LAC and LHL prepare a detailed written evaluation of Convention, with regard to lessons learned, suggestions for next Convention, changes needed, etc., and send the evaluation to the State Board president, who shares it with CPC.

CPC reviews delegate evaluations and recommendations, adds its own recommendations, and submits a final report to the **SO** for distribution to the state board and LAC.

CPC furnishes a notebook with all Convention materials, Delegate Workbook, Convention Manual, and other items to the State President to share with the newly named Convention Chair for next Convention

THEME AND LOGO

CPC will consult with LHL on the theme and logo of the convention and will jointly make a decision prior to the LWV-Texas Fall Board Meeting. The theme and logo will be used in promotional materials and on the cover of the Delegate Workbook. Examples of past themes include Making Democracy Work, Taking Texas Leagues to New Horizons, Exercising Your Rights, and It's Your Government...Take Charge!

PARLIAMENTARIAN

Prior to the Fall Board Meeting before Convention, **CPC** works with **SB** to identify and confirm an individual to serve as Parliamentarian during Plenary sessions at the convention. LWV-Texas can pay travel, provide lodging if needed, and/or pay a daily stipend of \$100 for two days, or can approve a contract.

For 2012, the Parliamentarian was Mrs. Ella Clerkson, San Antonio, TX, who prepared a contract for LWV-Texas.

A. FRIDAY EVENING SPECIAL EVENT

Traditionally, **LHL** sponsors an off-site special event as a fundraiser for its League on the Friday evening of Convention. Past events have included dinners, shows, and sightseeing trips to local museums or historic spots such as the Fort Worth Stockyards. The Friday event is an opportunity for the host League to showcase its hometown. **LHL** is responsible for arranging the special event, providing written information to **CPC** on registration fees, etc., and for letting delegates know about other sightseeing opportunities in the vicinity of the Convention site.

RESPONSIBILITIES OF THE STATE OFFICE

1. **SO** will distribute the Friday evening event information prior to convention to all Leagues and League members, utilizing the flyer/promotional information provided by **LHL**, and will include the information in convention materials distributed at registration.

RESPONSIBILITIES OF THE LOCAL ARRANGEMENTS COMMITTEE

- 1. In the summer and fall before Convention, **LHL/LAC** should make the **CPC** aware of special events and sites that might be of particular interest to delegates. **LAC** will research possibilities and obtain cost estimates, then recommend specific events/activities in writing to **CPC**, which will then make a recommendation to the State Board. The State Board will make the final decision as to the events/activities to be offered.
- 2. LAC will plan the **Friday night event**, reserve the site(s), arrange transportation, select a caterer or determine meal plans, arrange for supplies or event materials as needed, and arrange for local volunteer assistance as needed. All contracts and vendor payments will be handled by the local League, and all registration proceeds will benefit the local host league.
- 3. **LAC** will prepare events/activities information for the **LWV-TX** and *The VOTER*. An enthusiastic description, as well as registration fee and transportation information, should be included.
- 4. LAC may wish to contact the local visitors bureau/chamber of commerce for tourist information to include in pre-Convention information and in the Delegate packet. Information about other restaurants in the area, walking tour information, or additional tourist brochures can also be included in the packet.

B. TRANSPORTATION -

- 1. CPC will work with LAC as needed to provide accurate maps and directions to the hotel from local airports and major highways, plus airport and hotel shuttle service information. This information should be included in pre-convention and registration information.
- 2. LAC is responsible for securing commercial transportation and/or determining alternate transportation plans for the Friday night event (which may include use of personal vehicles). Specific transportation costs can be included in the cost assessed each participating delegate by the local League.

C. REGISTRATION

SO and CPC are responsible for handling pre-registration of convention attendees. **LAC** and registration volunteers are responsible for registration at Convention and for cooperating with the Credentials Committee to furnish needed information about delegate count, etc. **LAC** should designate a registration chair to oversee registration volunteers.

SO will receive pre-registrations directly and will establish a system to track incoming registrations. **SO** will keep running totals of registrations for each event and coordinate with **CPC** to ensure adequate meeting facilities for each event. **SO** will prepare a list of delegates and registrants as registrations are received and will prepare a final listing of names, contact information, and name of local League for inclusion in the Delegate packet.

Name tags must be prepared based on advance registrations. The name tag should include each person's name, local League, and office. A number of extra name tags should be kept at the registration table for late registrants and correction of misspelled names. A colored name tag, sticker, or border must be used to distinguish delegates from nondelegates. A system of colored dots or stickers can be placed on the name tags to identify which events have been paid for by each attendee (otherwise tickets must be prepared and collected for each event).

LAC will be responsible for staffing the registration table throughout Convention as per the hours noted on the final agenda. More volunteers should be scheduled for Friday and Saturday morning shifts in anticipation of the arrival of the majority of registrants. At registration, each delegate should be given a packet and name tag.

CPC is responsible for providing a list of all guests and speakers to the registration committee and to the SO so that they are included in the registration database as per meals, etc.

RESPONSIBILITIES OF THE STATE OFFICE AND CPC

- 1. **CPC and SO** will work with the hotel staff to determine which area of the hotel will be used for the registration information desk.
- 2. **SO** will bring the following materials for the registration/information desk: a large sign for the registration information desk; signs for registration by alphabetic division (if needed); extra copies of the Convention Workbook; a cash box and petty cash; miscellaneous supplies; name tag ribbons to designate state board members, local League presidents; and Delegate packets.
- 3. **CPC** will be responsible for meeting with the local League volunteers to set up the registration/information desk the first morning of the Convention and for briefing the registration volunteers regarding procedures.
- 4. **SO** will take possession of the cash box each night, will return the cash box the following morning, and will assume responsibility for bringing receipts to the SO for deposit.
- 5. Throughout Convention, **SO** and **CPC** will be available to deal with questions and problems. A method for the registration/information desk to contact SO and CPC representatives quickly at the hotel will be devised in advance of the Convention.
- 6. League requests for caucuses must be made one month prior to the Convention. Caucuses will be given space on a first-come, first-serve basis in meeting areas approved by the hotel.

7. The delegate list prepared by the SO will list delegates alphabetically by local League. Delegates from MALs, members of the state board, visitors, guests, and observers will all be listed separately. To facilitate registration, delegates will register by section of the alphabet by either the delegates' last name and League name.

RESPONSIBILITIES OF THE LOCAL ARRANGEMENTS COMMITTEE

- 1. Delegates and visitors will register at the registration desk as they arrive. In order to vote, a delegate must be registered.
- 3. The plastic name badges for delegates, visitors, observers, state board members, and volunteers will be color-coded, and some may have special ribbons attached. All badges will be picked up upon registration. Extra badges, to be used if needed, will also be provided by the SO.
- 4. Throughout the Convention, the registration/information desk volunteers serve as a continuing resource for Convention delegates with questions concerning workshops, transportation, locations of meeting room, agenda issues, and services, etc. Lost and found items are kept at the registration/information desk until claimed. After most attendees arrive, registration may be moved to the Convention office.
- 5. The hotel will be asked to promote Convention information on available electronic message boards/TV screens. At the beginning of the Convention, a list of events and hours for the registration/information desk, hospitality room, Convention office, and publications room may be displayed. Notices regarding locations and times for caucus meetings, workshops and special events will also be publicized through available venues. An easel near the registration area may be available for personal messages. The registration committee will clear the easel as needed.
- 6. All money collected at the registration/information desk must be recorded on the official registration database list. Each income entry should be recorded as to date of receipt, from whom received, amount of payment, and reason (e.g., registration, banquet). Checks should be made payable to LWV-TX. Refunds for registration or banquet tickets will not be made after the published cancellation date.
- 7. The registration chair shall train and oversee all shifts of volunteers staffing the registration/information desk. A listing of volunteer names should be maintained by the LHL and furnished to LWV Texas so that they can be thanked for their service.
- 8. LAC will recruit local League members to staff the registration/information desk, which will be manned at designated times during the Convention. Registration is scheduled to begin at least one hour before the Friday workshops begin and continue through 7 p.m.; registration will continue on Saturday. Hours will vary depending on the Convention agenda. Two volunteers are usually needed for each time slot on Friday, and two volunteers are needed for each time slot on Saturday. One volunteer is needed on Sunday morning prior to the beginning of the Plenary session for any late arrivals. Because most delegates are expected to arrive Friday or Saturday morning, registration may be combined with the Convention office after the majority of delegates have arrived.

D. CREDENTIALS COMMITTEE

The LAC chair and one other member of the registration committee usually serve as the Credentials Committee, which reports the number of registered delegates so that a quorum can be declared. The State President will confirm on the first day of convention the number of local Leagues in the state who are eligible to attend. At least half of the local Leagues in the state must be represented at the Convention in order to declare a quorum. In case

of concerns in this regard, the president may ask state board members to represent their local Leagues, if there are no delegates from those Leagues already registered. If someone leaves and is not planning to return to the Convention, the count should <u>not</u> be lowered. If someone new comes to replace an already registered delegate, the count should <u>not</u> be increased.

The State President will formally appoint the Credentials Committee at the beginning of the first plenary session. The Credentials Committee will be asked to make a report (a sample script will be provided) using the nearest floor microphone. The State President will then declare whether a quorum is present. At the beginning of each subsequent plenary session, the Credentials Committee again makes a report, but the declaration of a quorum is only done at the first session. The written report should be given to the LWV-TX secretary, who will be seated at a table at the front.

The Credentials Committee should ask the Registration volunteers for a list of delegates who have checked in.

E. CONVENTION OFFICE

The Convention office provides computer and printing equipment for use by state board members, state League staff, delegates, workshop leaders, and local Convention committee members. The **CPC** and the **SO** are responsible for obtaining equipment for the Convention office and for coordinating assistance as needed by League members. For convenience and accessibility, the Convention office should be located in close proximity to the combined Publications/Wares and Auction Room.

RESPONSIBILITIES OF THE STATE OFFICE

- 1. **SO** will furnish office supplies, such as copy paper, state League letterhead, and standard office supplies, including pens, pencils, spiral notebook, receipt book, a cash box, and petty cash. A list of standard office supplies to be available at Convention is found on the last page of this convention manual.
- 2. The Convention office will be set up the Thursday evening before the first day of Convention and **CPC** will brief assigned volunteers regarding its use and their responsibilities. One volunteer will be needed in the Convention office throughout the convention, unless otherwise notified.
- 3. **SO** will take possession of the cash box each night, will return it to the Convention office each morning, and will assume responsibility for taking receipts to the state office for deposit.

RESPONSIBILITIES OF THE LOCAL ARRANGEMENTS COMMITTEE

- 1. LAC may be asked by CPC to help make arrangements to rent or borrow equipment for Convention usage and LAC should be aware of alternative sources for equipment should a breakdown occur.
- 2. LAC should assure that the Convention office is staffed by at least one volunteer per designated shift to provide assistance to state board members, state office staff, local Convention committee chairs, and delegates who need assistance in preparing for workshops, caucuses, program adoption, speeches, etc. The office volunteer may also be called upon to assist local Leagues in setting up sales areas or exhibits in spaces that they have reserved ahead of time. However, local Leagues are responsible for staffing their own sales areas.
- 3. LAC is responsible for making sure Convention office volunteers are recruited.

F. PUBLICATIONS AND WARES

State League publications and products are available in the Auction Room for delegates to purchase during Convention (hours to be announced in advance). Local League publication sales and exhibits are also located in the Auction Room, but local Leagues are responsible for staffing their own sales areas and for providing their own petty cash and receipt procedures. The State Office should be notified at least three weeks before Convention by local Leagues if they need space in the publications and wares room to sell their merchandise. Local Leagues will be notified through appropriate information channels in advance that they may offer publications or merchandise for sale. A space reservation form will be provided and should be returned as documentation from the League that they will utilize space in the publications/wares area.

RESPONSIBILITIES OF THE LOCAL ARRANGEMENTS COMMITTEE

1. LAC will furnish one volunteer during each of the shifts identified during Convention to man the LWV-Texas publications and wares table in the Auction Room. Volunteers will familiarize themselves with the merchandise for sale and will be encouraged to promote sales to delegates entering the room.

RESPONSIBILITIES OF THE STATE OFFICE/CPC/AUCTION CHAIR

- 1. **CPC**, in cooperation with the hotel staff, will identify the room to be used for silent auction and publications/ wares sales activities. To promote delegate traffic through the publications and silent auction room, it should be located as close to the plenary session room and registration area as possible. A secure room is needed, as materials will be kept there overnight.
- 2. **CPC and Auction Chair** will make arrangements for the Auction and Publications/Wares spaces, including appropriate number of tables, table cloths and skirts, and chairs, plus security.
- 3. **CPC** is responsible for pre-Convention publicity regarding League publications and merchandise for sale and will seek information in advance from local Leagues regarding merchandise they wish to sell.
- 4. **SO** will take possession of the cash box each night, will return it to the publications/wares/Auction Room each morning, and will assume responsibility for taking receipts to the state office for deposit.

G VOLUNTEERS/PERSONNEL

The convention is staffed primarily by volunteers recruited by the LHL, in consultation with CPC and the chairs of the various Convention committees. The volunteers should be able to complete the duties listed in this manual in addition to duties that may arise unexpectedly.

RESPONSIBILITIES OF THE CPC

1. **CPC** will be available to assist volunteers with any problems that arise.

RESPONSIBILITIES OF THE LOCAL ARRANGEMENTS COMMITTEE

1. LAC recruits and assigns a volunteer chair to recruit, schedule, and help train volunteers, working closely with CPC.

- 2. The volunteer chair should prepare sign up notices and forms for the local League *Voter*. Sign-up sheets should also be provided at each general or unit meeting in the months leading up to Convention.
- 3. The volunteer chair and/or LAC should plan to attend local League meetings to describe Convention and recruit volunteers. It may be helpful to enlist several volunteers willing to step in as alternates or last-minute helpers. LAC may contact other local Leagues in the area as a source of additional volunteers.
- 5. The volunteer chair assigns volunteers for every position, in every time slot, as identified by CPC, beginning two months ahead of the Convention schedule. The SO, CPC, and LAC should all have a final volunteer schedule that identifies the volunteer's name and contact telephone (cell) number.
- 6. The volunteer chair prepares a volunteer packet to mail to each volunteer 10 days ahead of Convention. This should confirm in writing the exact tasks and times for which a commitment has been made. It should also include a reservation form for Convention meals, a complete Convention agenda, and a map of the hotel, plus information about the required training at the hotel on Thursday afternoon before Convention. Volunteers should be advised that if they are not "on duty," they can attend and/or observe plenary sessions and workshops, unless they are registered delegates, in which case they should attend the entire plenary sessions.
- 7. The volunteer chair should be present throughout Convention to be sure that there are no volunteer staffing concerns.
- 8. The volunteer chair is responsible for thanking all volunteers in written or email format following Convention.

H. FLOOR COMMITTEE

It is vital that the Convention plenary sessions run smoothly, and to this end, volunteers on the Floor Committee play a primary and vital role in making that happen. The Floor Committee chair and members will be asked to attend training (about one hour) the day before Convention opens to receive training. It is helpful, but not required, if Floor Committee members have attended a previous LWV state convention and are already familiar with procedure of a plenary session.

The Floor Committee should be aware that beginning at the 2012 Convention, League observers who are not official voting delegates of their League are invited to sit with their League delegates at their assigned seats, unless they prefer to sit in the visitors' section at the back of the room.

The Floor Committee is comprised of the following: Doorkeepers, timekeepers, tellers, microphone attendants, microphone assistants, and a projectionist or media helper (to provide assistance to the SO as needed) during the plenary sessions.

RESPONSIBILITIES OF THE STATE OFFICE

1. The SO should assure that all equipment, signage, and supplies needed for the plenary session are available. Equipment includes a computer with projection capabilities and monitor, projection screen, and microphones. Signage should include local League names, state board members names and positions, pro and con cards and others needed for microphones, red cards, visitors section sign, and time cards. Supplies include numbered four-ply motion slips (NCR paper), stop watch, bell, podium signage, backdrop banner, paper ballots, and water and glasses at the platform table. Arrangements must be made early to audiotape the entire plenary session. Tapes should be given to the secretary for recording minutes.

- 2. At least one hour prior to the beginning of each plenary session, SO should bring needed supplies to the plenary session room and make sure that they are in their proper places and that equipment is working properly.
- 3. During the plenary sessions, SO should be available to assist the State Board members as needed and may be asked to contact hotel personnel to assist with problems such as room temperature, lighting, microphones, etc.

RESPONSIBILITIES OF THE FLOOR COMMITTEE aka Policy/Bylaws/Rules Committee

- 1. The Floor Committee chair should be familiar with the duties of Floor Committee volunteers, as described below, and should also be familiar with parliamentary procedure.
- 2. The Floor Committee chair should arrive at each plenary session approximately one hour before it is scheduled to begin. Equipment and supplies should be checked to see that they are in place and working properly.
- 3. The Floor Committee chair and volunteers will receive cross-training at the Thursday training session before Convention begins. State board members will be available to assist with training volunteers.
- 4. Following the Convention, the Floor Committee chair should make sure that all volunteers are thanked.

VOLUNTEERS COMPRISING THE FLOOR COMMITTEE

Approximately 11 volunteers are needed for each plenary session:

- two doorkeepers
- one timekeeper
- three tellers (plus additional tellers if needed)
- · two microphone attendants
- one attendant for the president/presiding officer (the president can identify attendant if desired)
- · one projectionist (usually SO staff), and
- one media assistant to help the SO staff.

Hours will vary depending on the Convention agenda. Volunteers will have been trained in advance but should plan to report to the plenary meeting room approximately 45 minutes before the start of the session to receive additional instructions as needed. The local volunteer chair will recruit volunteers to fill these positions and is responsible for seeing that all positions are filled.

1. DOORKEEPERS

- 1. The doorkeepers monitor the doors into the plenary session room during the plenary sessions, admitting only persons showing Convention badges--delegates, observers, visitors, state League staff, local Convention committee volunteers, and members of the news media. Anyone without a badge should be asked to obtain one at the registration/information table.
- 2. The doorkeepers distribute handouts prior to the beginning of the plenary session.
- 3. During a vote, the doorkeepers close the doors, permitting no one to enter or exit while the vote is being taken.

2. TIMEKEEPER

- 1. The timekeeper sits on the dais in view of both the presiding officer and speakers at the microphones. The State Office will supply a stopwatch, a colored time-card, plenary agenda, and a bell. The card is used to indicate 30 seconds remaining, and the bell signals the end of the time.
- 2. The timekeeper times the speakers according to the rules adopted. The presiding officer will supply directions regarding the length of the debate and the time allotted to each speaker. The timekeeper must follow the plenary agenda closely and stay focused on the business at hand.

3. TELLERS

- 1. The number of tellers depends upon the seating arrangements for the delegates. Each teller will be assigned to a specific area of the room and will have responsibility for that assigned section.
- 2. Tellers are responsible for seeing that persons are seated in the proper areas of the room--delegates and League observers in the front section and visitors not related to a League in the back. Sections will be marked by table tents/signs.
- 3. Tellers will distribute printed materials to each seat as requested by the State Board.
- 4. Tellers are responsible for countoff voting when a motion requires one. Each section of the room is counted separately. The procedure is as follows. **Those voting "yes" are requested to stand.** Beginning at one end of the first row, the first delegate who is standing counts "one" out loud and then sits down; the next standing delegate counts "two" and so on. The teller standing at the end of that row makes sure that the first person standing in the second row starts with the next consecutive number. Therefore, the vote count travels right to left in one row and left to right in the next. State board members, including those on the dais, may vote. The tellers confirm the final numbers and add the yes votes for all sections. The same procedure is used for the "no" votes. One teller takes a written report of the vote count to the presiding officer.
- 5. Tellers may also serve as doorkeeper assistants or microphone attendants/pages as needed.

4. MICROPHONE ATTENDANTS AND PAGES

- 1. Microphone attendants are on the floor to monitor the two microphones used by the delegates and to deliver written motions to the appropriate people. Generally there are two microphones on the floor; pro and con signs may be attached to the microphones by the attendants. A page attends each of these, assisted by a teller if needed. The page sits in front of the microphone facing each potential speaker and adjusts the microphone height as needed.
- 2. The microphone attendant reminds speakers to give their name and League before speaking. She/he should carry a clipboard with appropriate paperwork to capture the names of those signing in to speak.
- 3. The page at each microphone has a red card which delegates can request to make a non-debatable point (point of order, point of information, parliamentary inquiry, or question of privilege). These cards can be waved by a delegate anytime during debate to interrupt it. Red cards and examples of **non-debatable** points will be provided by the State Office.

4. All motions should be written on motion slips prior to being moved. A delegate wishing to make a motion should obtain a motion slip from the microphone assistant. (Three-part motion slips are provided by the State Office.) The microphone assistant should remind delegates to press hard as they write or print the motion wording so that all three copies are legible.

The microphone assistant is responsible for delivering the first **two** copies of the motion to the Secretary and the projectionist; the last copy is retained by the delegate making the motion.

5. If there is an election challenge, paper ballots will be distributed by the tellers or pages to those eligible to vote (delegates and members of the State Board).

5. ATTENDANT TO THE PRESIDING OFFICER

1. One page is assigned to the presiding officer and is available throughout the plenary session for any tasks requested. Prior to the plenary session, he/she introduces herself to the presiding officer and sits in front of the platform.

6. PROJECTIONIST/MEDIA ASSISTANT

- 1. The projectionist often prepares and then operates the prepared Powerpoint presentation(s) on the laptop computer attached to an LCD projector. The projectionist will follow the agenda and change slides accordingly. The projectionist also receives motion slips from the microphone attendants, types them into the computer, and displays them on the screen. It is vital that the projectionist be familiar with the equipment prior to the beginning of the plenary session.
- 2. The media assistant sits with the projectionist (usually the LWV-Texas Executive Director) and helps as needed. He/she may also serve as projectionist.

I. WORKSHOPS ——

On the Friday of Convention, delegates and visitors have the opportunity to attend three of several workshops that might be offered. Workshops are carefully chosen and developed, and they may be repeated if there is a great deal of interest. Workshops will be listed on the convention registration form so that registrants can sign up for specific workshops. Workshop presenters are responsible for their own materials that will be distributed.

RESPONSIBILITIES OF THE STATE OFFICE

- 1. CPC considers recommendations for workshops from LWV-TX board members and League members and also reviews evaluations of the last convention and the last two years of Leadership Institutes and/or regional meetings to consider member interest for workshops. Workshops may be facilitated by the appropriate LWV-TX vice president or another League member. Workshop presenters are responsible for making or duplicating their own handouts
- 2. The **SO** and **CPC** will work with the hotel to ensure adequate space and set-up for all workshops/break-out sessions. Any AV or "props" needed must be communicated in advance by the State Board Vice Presidents to the CPC and SO, including the title of the workshop, speakers' names, moderator/facilitator, room set-up, and AV or props needed.) to the administrator and Convention planning chair. Costs associated with AV and other props must be approved by the CPC.

3. It is the responsibility of the **vice president** organizing a workshop to invite and follow up with speakers or special guests.

RESPONSIBILITIES OF LOCAL ARRANGEMENTS COMMITTEE

1. Local arrangements committee may recommend topics and speakers for workshops

J. PUBLIC RELATIONS:

Public relations/publicity for the Convention will be handled by the LWV-Texas Public Relations Vice President, in cooperation with the SO and the LHL's public relations committee chair. Guidelines for the local chair will be furnished in advance from the State Board Vice-president. Good lead time should be allowed for development of plans between the local chair and the State PR Vice President so that media contacts can be made in a timely manner and in advance of Convention.

RESPONSIBILITIES OF THE STATE LEAGUE PR VICE-PRESIDENT AND THE STATE OFFICE

- 1. The LWV-Texas PR Vice President should contact the LHL chair at least three months prior to Convention. At that time agreement should be reached regarding the relative responsibilities of each. Typically the local chair handles local media contacts, and the State League handles statewide publicity.
- 2. The SO will maintain and provide on request an up-to-date statewide media list.
- 3. The PR Vice President may prepare a news release, including a summary of the Convention schedule, to be distributed statewide at least one month prior to the Convention. A copy should be sent to the local PR chair.
- 4. Information about the League, League program and activities, and Convention, including an agenda, should be available on the LWV-Texas website as well as in the state office, so that any interested reporters may have immediate access to pertinent information. This information should be made available to the local PR chair well in advance of Convention.
- 5. The LWV-Texas PR Vice President will prepare a sample news release for Convention delegates to take home to give to their local media with delegate names and highlights of convention. The sample news release will be included in the Convention packet, if possible.
- 6. The LWV-Texas PR Vice President or the State President should be prepared to be interviewed or to provide a sound bite or quote to any reporter or camera man seeking such information.
- 7. The PR Vice President and the SO are responsible for all post-Convention publicity, including contacts with the local media in the hometowns of newly elected state board members. Whenever possible, photos should be obtained prior to the Convention so that releases announcing the election results can be transmitted in a timely fashion.

RESPONSIBILITIES OF THE LOCAL HOST LEAGUE PUBLIC RELATIONS CHAIR

1. The local PR chair is responsible for compiling or obtaining a current news media list for the host city.

2. Approximately 30 days ahead of Convention, the local PR chair should prepare—and submit to LWV-Texas for approval—a draft news release about the Convention program and agenda; workshop titles; special convention events; and the names of local League members serving on the Local Arrangements Committee. All local statements and press releases should be written on State League letterhead and should include the name and phone number of the local PR director as contact person. Letterhead and envelopes can be furnished by the State Office.

K. SATURDAY LUNCHEON AND/OR BANQUET

The Convention banquet is usually held on Saturday evening but a special Luncheon could also be held on Friday or Saturday. The State Board and D&M are responsible for deciding whether either or both events will be fundraisers, and if so, what additional audience will be invited to attend, who the keynote speaker will be, etc. CPC may request suggestions for prospective local speakers from the LHL.

CPC will determine if centerpieces for the tables are needed, will establish seating arrangements as needed, and will provide place cards for all reserved tables.

The speaker, State President, LHL president, and others selected by the LWV-Texas president should sit at a "reserved" table. Seating for all others is by individual choice; however, State Board members and LAC members will be asked to sit at different tables throughout the room to greet League members.

If either or both the luncheon and banquet are planned as fund raisers for LWV-Texas, D&M will be involved and will determine outside sponsorships needed to ensure a successful program.

RESPONSIBILITIES OF CPC AND STATE OFFICE

- 1. CPC will arrange the luncheon and/or banquet menu with the hotel and will be responsible for setting the meal guarantee.
- 2. SO will receive payments for all luncheon/banquet reservations and will determine how delegates' registration information confirms their attendance/participation.
- 3. CPC will work directly with the registration desk volunteers to determine a final count of delegates and their meal plans; if additional tickets have been requested at the door, CPC will determine whether seating is available.
- 4. If news media is expected, CPC will make arrangements for a press table to be located at the rear of the dining room. The local host PR chair and one or more State Board members will be assigned to greet members of the news media who attend. If a keynote speaker for either Saturday luncheon or banquet is secured, a news media packet with event information, biography, photo, etc. may be prepared and distributed prior to the event.
- 5. Securing sign language translation may be investigated by CPC if deemed necessary.
- 6. CPC will handle needs that arise for a microphone and podium, the League banner, a registration table, and any AV equipment needed for speakers or entertainment to be placed in the banquet room. If the event utilizes an emcee or auctioneer, CPC will work with the State President and LHL to identify that individual.
- 6. The SO and PR Vice President will handle all live auction or other banquet fundraising details.

RESPONSIBILITIES OF THE LOCAL ARRANGEMENTS COMMITTEE

- 1. If requested by CPC, LAC will help decorate the banquet room(s), using hotel centerpieces, etc., as available. If fresh flowers are utilized, it may be possible for one arrangement to be used for more than one meal event.
- 2. LAC also may be asked to recommend a local auctioneer, if a live auction is planned during Convention, and to make the initial contact, but would not be responsible for contract fees; LAC also may be asked to secure photographic/videography services for the luncheon or banquet but will not be responsible for underwriting the expense.

L. AUCTION ROOM —

GENERAL GUIDELINES WILL BE INSERTED HERE—JUNE 2012, AS PREPARED BY AUCTION CHAIR FOR 2012 CONVENTION, SUSYBELLE GOSSLEE.

RESPONSIBILITIES OF THE CONVENTION PLANNING COMMITTEE

- 1. CPC confirms the space needed at the hotel for the Silent Auction and related merchandise areas.
- 2. CPC and Auction Chair work with SO to invite Local Leagues and their members to participate.

RESPONSIBILITIES OF THE AUCTION CHAIR

1.

2.

RESPONSIBILITIES OF THE LOCAL ARRANGEMENTS COMMITTEE

- 1. LAC identifies possible sponsors for Auction Room refreshments while the Silent Auction is in progress.
- 2. LAC provides volunteers in the Auction Room during designated hours; some volunteers will need to have skills to handle sales (cash, check, credit card).

FINANCIAL INSTRUCTIONS FOR CONVENTION

- 1. LWV-TX State Office will handle receipt of registration money and payment of all Convention invoices, except those for which the Local Host League are responsible (i.e., Friday evening event). The Fiscal Management & Administration Committee of LWV-TX may approve alternative methods of managing Convention receipts and disbursements.
- 2. LWV-TX shall reimburse members of the Local Host League for Convention-related expenses such as postage, parking, and copying. The State Office will send reimbursement request forms to the local Convention chair for distribution to members of the local committee. All requests for reimbursement should be supported by receipts and must reach the LWV-TX treasurer within 30 days after the final day of Convention.
- 3. The State Office works with CPC and handles contracts for all hotel and dining services. All other contracts for services (e.g., equipment rental, offsite catering) should be approved and signed by the SO executive director. Arrangements should be made for local vendors to bill the SO directly whenever possible. If a bill cannot be mailed to the SO, the LWV-Texas treasurer will write a check for the invoice at or immediately following Convention.
- 3. All money collected at the registration desk must be recorded. Each income entry should be recorded as to date of receipt, from whom received, amount of payment, and reason (e.g., registration, banquet). Checks should be made payable to the League of Women Voters of Texas (or LWV-TEF for any special fundraising luncheon). Payments may be made by credit card. Credit card forms will be provided to the registration table workers.
- 4. Refunds for registration or banquet tickets should only be made in extreme circumstances upon authorization from the SO or CPC. No refunds may be made after the final cut-off date given by the hotel, as those meals will have to be paid for. The SO will take possession of the cash box each night and will be responsible for bringing receipts to the state office for deposit.
- 5. It is essential that transactions be recorded fully and accurately. Questions about these procedures before or during the Convention should be directed to the SO for clarification.
- 6. During **payout for merchandise or auction sales**, all individuals wishing to pay with a credit card will be requested to fill out a form to do so. They will then turn this form in to the staff or volunteer at the sales table.
- 7. Separate logs for merchandise and auction sales will be kept, and everyone will be asked to check out in a separate line for each to make post-Convention bookkeeping easier.

(Treasurer Edie Jones will review this page specifically, 7/20/11)

GENERIC CHECKLIST FOR STATEWIDE AND/OR REGIONAL MEETINGS

Nametags, Publications and Merchandise:

Participant Nametags--League name and attendee's name—first name of delegate BIG type on first line; last name on second line; then name of League.

All publications on hand at the State Office

All LWV merchandise for sale on hand at the State Office

Registration Materials and Event Materials:

Include League contact info on registration form-- phone numbers (cell phone) of key contacts that are usable the day of the event for directions, emergency messages, delays, etc.

Be sure that participant has written his/her personal contact info on the registration materials for communication in case of emergency.

Include a map, drawn to scale, to the meeting site, plus written directions if needed.

Handouts and extra copies of the Delegate packets.

Office Supplies furnished and brought by State Office:

Two reams white copy paper

State League letterhead and envelopes

Magic markers and Dry erase pens

Pens and pencils with erasers

Sticky (post-it) notes

Masking tape and scotch tape

Scissors, ruler, glue stick

Two clipboards

Spiral notebook (for recording copying requests, special notes)

Receipt book

Pads or blank paper for note-taking by attendees

Stapler and extra staples

Paper clips, thumbtacks, rubber bands,

Three-hole punch

Flash drive to facilitate information transfer

Cash box and petty cash

AV-Computer-Related equipment and backups:

Laptap computer and LSC projector (SO will always bring these)

Charger or extra batteries or bulbs for LCD or other equipment

Large pad of paper and easel from state office

Extension cord and power surge protector

General guidelines for State Office:

State Office staff arrives early and is set up and ready for early arrivals.

State Office brings publications and merchandise as requested.



Suggested Sample of Convention Name Badge (standard Avery product size with plastic cover and lanyard)-prepared by State Office

Logo

CHRIS

Davis Garcia
LWV-Corpus Christi
STATE BOARD MEMBER
DELEGATE
First-Time at Convention

Exhibit 115



2021 Impact Report

Fighting for Voting Rights During a Pandemic

President's Message:

What happens at the Texas Capitol impacts and influences actions across the United States. For the first time in over 100 years, the 87th Texas legislative session convened during a worldwide pandemic. We overcame this barrier to democracy with determination, ensuring the League's voice was heard during the Regular Session and the three following Special Sessions.

LWV Texas provided 114 testimonies during the 87th Legislative session and three Special Sessions! Our advocacy centered on our priority issues: voting rights and redistricting, and urgent issues: health care, women's health, public education, and climate change. We also fought extreme legislation and advocated for equal opportunity in schools for vulnerable transgender youth. We fought unregulated carry of handguns.

In 2022, the League will focus our energy on overcoming the barriers to voting created by the new Texas election laws that put our democracy at risk. By supporting the work of the League, you can fight for communities hardest hit by these bills: Black, Latinx, Asian American, Pacific Islander voters, voters with disabilities, young and rural voters.

I am proud to stand with the almost 3,500 League members and 13,000 League supporters across Texas who work so hard to Empower Voters and Defend Democracy in Texas!

Grace Chimene,

President, League of Women Voters of Texas

The League makes taking action easy!
We created 46 Action Alerts with our Take Action tool!

The Fight for Voting Rights Starts With Partnerships Let My People Vote Rally

We partnered with Texas NAACP, Texas LULAC, and Texas Impact for the "Let My People Vote Rally for Voting Rights" at the Texas Capitol. LWVUS CEO Virginia Kase Solomón rallied protestors with her speech "The State of the Voting Rights Crisis in America."



Empowering Voters. Defending Democracy.

Texas Leagues

Amarillo

Austin Area

Bay Area

BayTown

Beaumont

Brazoria

Cy-Fair

Collin County

Comal Area

Cooke County

Corpus Christi

Dallas

Denton

El Paso

Fort Bend County

Hays County

Hill Country

Houston

Irving

Lubbock County

Midland

Montgomery County

Richardson

Rio Grande Valley

San Antonio Area

South Central Texas

Tarrant County

Tyler/Smith County

Victoria

Waco Area

Wichita Falls

Williamson County

1212 Guadalupe Street, Suite 107 Austin, TX 78701 512-472.-100 Iwvtexas@lwvtexas.org www.lwvtexas.org

THE LEAGUE IN ACTION 2021 IMPACT REPORT

Fighting for a free and fair democracy!

Fighting Voter Suppression

Without the protection of the Voting Rights Act and with one-party control of the Texas Legislature, the League stands up to increased government efforts to suppress the vote.

WINS!

- We stopped the most extreme suppressive elements of the 87th Legislature's voting and elections omnibus bill.
- We activated the voices of members and supporters to send 242,000 emails to Senators, Representatives, and state leadership.
- We won incremental voting process improvements, such as ballot tracking and online mail ballot curing.



Defending Democracy in the Courts

At the federal level, we litigate to support Texas voters:

- Filed an amicus brief against the proposal to exclude undocumented immigrants from the Census count.
- Filed a lawsuit against the State of Texas about the Anti-Voter Bill, SB1.
- Filed redistricting litigation supporting Black, Latinx, and Asian American & Pacific Islander coalition districts.
- LWVUS filed an amicus brief opposing the SB8 antiabortion law.

At the state level, we continued to fight:

- Filed a lawsuit about the mail-in ballot signature process (Richardson v. Hughs)
- Filed an amicus brief at the Texas Court of Criminal Appeals in support of Ms. Crystal Mason's petition for review of her conviction for voting "illegally."

Fair Maps Texas

Strengthening the voices of voters of color in Texas.

Despite the pandemic, Leagues all across Texas took action both at the Capitol and locally in support of fair maps. League members took action in Corpus Christi, El Paso, Hays

County, Tarrant County, and Tyler/Smith County.



All communities, no matter their race, deserve fair representation, yet our legislators have drawn electoral maps that silence the voices of communities of color in Texas."

Grace Chimene, president League of Women Voters of Texas.

Women's Health & Reproductive Choice

The League of Women Voters of Texas advocated strongly against attempts by the Texas legislature to roll back reproductive rights. Bodily autonomy is a personal right. We hope for a victory from the US Supreme Court for Texans who may become pregnant.

Equal opportunity/LGBTQ Rights

We fought for transgender children who deserve equal opportunities to participate in sports, regardless of gender identity.

Gun Safety

Despite opposition from the League, law enforcement, and the general public, unregulated carry of handguns is signed into law.



EMPOWERING VOTERS. DEFENDING DEMOCRACY.

The Power of Collaboration

Texas Legislature, Don't Suppress Our Votes!

RevUp Texas and Leagues create advocacy videos to support voters with disabilities.



Democracy is Good for Business







Democracy is Good For Business

Texas LULAC, Texas NAACP, and the League called on Texas businesses, to support democracy. More than 40 businesses signed up!

Creating Voter Education Videos

League members from across Texas helped create videos on the eight Constitutional Amendments in English and Spanish

Andi Di - Texas Teresa Carbajal Ravet - Hays Susana Carranza - Austin Area Cali Franks - Tarrant County Bennet Leff - Austin Area Brianna Poe - Dallas Tina Majdinasab- Wichita Falls Brenda Moctezuma - Latinitas Alex Rarick - Bay Area Ian Seamans - Collin County Ruju Shah - Fort Bend



Empowering local Leagues

Unleashing the power of local Leagues:

- LWVTX provided VOTE411 coverage to all local Leagues.
 VOTE411 use in a Constitutional Amendment Election year skyrocketed! 141,462 voters or three times as many users accessed VOTE411 in 2021 compared to 2017!
- With a grant from the Democracy Fund, LWVTX offered local Leagues Club Express, an online platform that includes a website League template, communications, and data management.
- LWVTX granted \$18,000 to 21 Leagues to "Get Out The Vote!"
- LWVTX facilitates monthly Zoom calls for League Presidents,
 Treasurer, Voter Services, and Membership leaders to share best practices, strategize, and build community.
- LWVTX organized workshops: The Welcoming League, Civic Learning & Civil Dialogue, and Being League in this Political Climate.
- Leagues celebrated voting & civil rights history on social media throughout the year.









VOTE411.org LWVTexas.org

Growth Through Media

YouTube - 892 subscribers Facebook - 13,619 followers Twitter - 5,026 followers Instagram - 3,341 followers

Texting - 6000 Texans received action alerts & voting reminders



READ... VOTE411.ORG VOTE... SHARE!

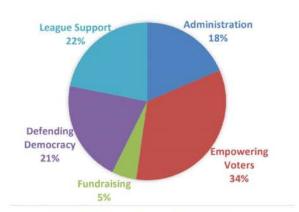


"Thank you for putting together such a terrific website that succinctly and objectively summarizes everything a voter needs to know." James Webb, voter OCA-APPX-1831

EMPOWERING VOTERS AND DEFENDING DEMOCRACY! | 2022 REPORT

Funding the Mission





LWVTX Income \$320,308 LWVTX Expenditures \$207,864

LWVTX is a 501(c)(3) nonprofit non-partisan citizen education and research organization that promotes participation in government and seeks to influence public policy through education and advocacy. The League neither supports nor opposes political parties or candidates...

Local Leagues in Action!





Leave a Legacy!



Become a member of the Minnie Fisher Cunningham Society! By including a gift in your will to sustain the League, you will help Make Democracy Work in Texas forever!

Minnie Fisher Cunningham was the first Executive Secretary of the League of Women Voters. The Texas native was also the first female pharmacy student at the University of Texas and the first woman to run for the Texas Senate. Members of the Minnie Fisher Cunningham Society continue empowering voters and defending democracy into the future by naming the League in their wills for a bequest.

What will be your legacy? For more information visit https://lwvtexas.org/planned-giving or call the LWV Texas office at 512-472-1100.

Grace Chimene, President (Austin Area), Janet Imhoff, Vice President (Collin County), Dorothy Marchand, Vice President (Austin Area), Janis Richardson, Vice President (South Central Texas), Marguerite Scott-Johnson, Vice President (Hill Country), Elaine Wiant, Treasurer (Dallas), Susan Bergen Schultz, Secretary (Austin Area), Joyce LeBombard (Austin Area), Susan Majors (Richardson), Stephanie Swanson (Austin Area), Deb Treece, (Hays County), Yvonne Wade Sanchez (Fort Bend County) Linda Vaughn (Amarillo).

Aileen Jacinta McMurrer, Executive Director

Exhibit 116

Bylaws

League of Women Voters of Texas

A 501(c)(3) Corporation

Adopted June 19, 1947

Amended 1956, 1958, 1960, 1962, 1966, 1968, 1970, 1971, 1973, 1975, 1977, 1979, 1981, 1983, 1985, 1987, 1989, 1991, 1993, 1999, 2001, 2003, 2006, 2008, 2010, 2012, 2016

Amended January 4, 2019 as a new nonprofit corporation, 2020, 2021

ARTICLE I. NAME

The name of this organization shall be League of Women Voters of Texas, hereinafter referred to in these bylaws as LWVTX, or, as the League or state League. This state League is an integral part of the League of Women Voters of the United States, hereinafter referred to in these bylaws as LWVUS.

ARTICLE II. PURPOSES AND POLICY

Section 1. Purposes

a. The purposes of the LWVTX are to promote political responsibility through informed and active participation in government and to act on selected governmental issues. b. The corporation is organized and operated exclusively for charitable and educational purposes under Section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code. Notwithstanding any other provision of these bylaws, the corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from federal income tax under such provisions of the Internal Revenue Code. No substantial part of the activities of the corporation shall be attempting to influence legislation.

Section 2. Policies. The policies of the LWVUS are

- a) Political Policy. The League shall not support or oppose any political party or any candidate.
- b) Diversity, Equity & Inclusion Policy. The League is fully committed to ensure compliance in principle and in practice with LWVUS' Diversity, Equity, and Inclusion Policy.

ARTICLE III.MEMBERSHIP

Section 1. Eligibility

Any person who subscribes to the purposes and policy of the League shall be eligible for membership.

Section 2. Types of Membership

- a. *Voting members*. Persons at least 16 years of age who join the LWVTX shall be voting members of the local and state Leagues of their place of joining and of the LWVUS;
 - 1) those who live within an area of a local League may join that League or any other local League;
 - 2) those who reside outside the area of any local League may join a local League or shall be state members;
 - 3) those who have been members of the League for 50 years or more shall be life members excused from the payment of dues.
 - 4) Those who are students are defined as individuals enrolled either full or part time with an accredited institution.
- b. Associate members. All others who join the League shall be associate members.

ARTICLE IV. LOCAL LEAGUES AND LEAGUES AT LARGE

Section 1. Local Leagues

- a. Local Leagues are those Leagues within the state of Texas that have been so recognized by the LWVUS.
- b. The board of directors, hereinafter also referred to as the state board, shall recommend to the board of the LWVUS, hereinafter referred to as the national board, that it recognize as a local League any

- group of members of the League in any community within the state provided the group fulfills recognition requirements.
- c. In the event of recurrent failure of a local League to fulfill the national and/or state requirements, the board of the LWVTX shall recommend to the national board that it withdraw recognition from such local League. In the event of the dissolution of the local League, all monies and securities that may at the time be owned or under the control of the local League shall be paid to the LWVTX after the local League board has paid or made provision for the payment of all liabilities of the local League. All other property of whatsoever nature, whether real, personal, or mixed, which may at the time be owned or under the control of the local League, shall be disposed of to such person, organization, or corporation for such public, charitable, or educational use and purposes as the state board in its absolute discretion may designate.

Section 2. Leagues at Large

- a. The state board may authorize the establishment of Leagues at Large, composed of state members, where feasible. Leagues at Large shall operate within the limitations established by the LWVUS and within guidelines adopted by the state board.
- b. In the event of recurrent failure to adhere to guidelines for Leagues at Large or to operate within the limitations established by the LWVUS, the state board may withdraw approval of the League at large. All assets held by a League at Large from which approval has been withdrawn shall be turned over to the state League.

ARTICLE V. OFFICERS

Section 1. Election, Qualifications, and Term

The officers of the LWVTX shall be a president, four vice presidents, a secretary, and a treasurer. They shall be voting members of the LWVTX and shall be elected by the convention to hold office for 2 years beginning June 1 of the year of their election or until their successors have been elected and qualified. The same person shall not hold both the offices of president and secretary.

Section 2. The President

The president shall have such powers of supervision and management as customarily pertain to the office; shall preside at all meetings of the organization and the state board, or designate another person to do so; shall be, ex officio, a member of all committees except the nominating committee; may sign or endorse checks, drafts, and notes in the absence or disability of the treasurer; and shall perform such other duties as the state board may direct. Section 3. The Vice Presidents

At its first board meeting the new state board shall designate one vice president who, in the event of the absence, disability, resignation, or death of the president, shall assume the office of president. Should that vice president be unable to serve as president, the state board shall choose one of its other elected members to fill the vacancy. The vice presidents shall perform such duties as the president and state board direct.

Section 4. The Secretary

The secretary shall keep or cause to be kept minutes of convention, statewide conference, and meetings of the state board. The secretary shall notify all officers and directors of their election and shall sign with the president all contracts and other instruments when so authorized by the president, and shall perform such other duties as the president and state board shall direct.

Section 5. The Treasurer

The treasurer shall perform such duties as customarily pertain to the office; arrange for an at least biennial professional review of the books; and, at the direction of the state board, maintain deposits in authorized financial institutions. The treasurer may sign, with written authorization from the president, contracts and other financial agreements, and shall provide copies of such documents to the secretary for archiving.

ARTICLE VI. BOARD OF DIRECTORS

Section 1. Selection, Qualifications, and Term

The board of directors shall consist of the officers of the LWVTX, six directors elected by the convention, and not more than six directors appointed by the elected members of the board. All directors shall be voting members of the LWVTX and shall serve for 2 years beginning June 1 of the year of their election, or until their successors have been elected and qualified. Vacancies other than thepresidency may be filled by vote of the remaining members of the board. Section 2. Powers

The state board shall manage and supervise the business, affairs, and activities of the LWVTX subject to

the instruction of the convention. The board shall plan and direct the work necessary to carry out the program on state governmental matters as adopted by the convention. It shall accept responsibility for the organization and development of local Leagues and Leagues at Large, the promotion of League program, financial development, and such other matters as the national board may from time to time delegate to it. It shall have the power to create such special committees, as it deems necessary and shall perform such other duties as are specified in these bylaws. Any committee with the authority to carry out the powers exclusive to the board in the management of the League shall have at least two committee members, and a majority of those members must be board members.

Section 3. Meetings

At least three regular meetings shall be held annually at such time and place as the board may determine. The president may call special meetings and, upon the written request of at least five members of the board, shall call a special meeting. Notice of all regular meetings shall be given at least 2 weeks before the meeting, and notice of all special meetings shall be given at least 3 days before the meeting. During a convention or statewide conference, the president may, or upon the request of at least five members shall, call a special meeting by giving written notice to each member of the board. Special meetings may be held by electronic communication. Any one or more members of the board may participate in a meeting by means of electronic communications equipment, so long as all participants in the meeting can simultaneously hear each other. Participation by such means shall constitute presence at the meeting.

Section 4. Actions Without a Meeting - Written Consent

Any action required or permitted to be taken at any meeting of the board of directors may be taken without a meeting, if a majority of all directors expressly approve the action in a written or electronically transmitted consent, and such collective consent is filed in paper or electronic form with LWVTX corporate records. Each consent must be dated and clearly indicate the director from whom it is issued, either by signature or other means of identification (such as an email address). If an action is approved in this manner, prompt follow-up notice of the action must be provided to each director who did not provide consent in writing.

Section 5. Absences

Unexcused absences from two consecutive board meetings or three unexcused absences from board meetings in a biennium shall be considered a resignation from the board. Section 6. Quorum A majority of the members of the board of the LWVTX shall constitute a quorum.

Section 7. Indemnification and Limitation of Liability

The directors and all officers or other appointed representatives of the LWVTX shall be indemnified and their liability shall be limited to the fullest extent authorized by the Texas Non Profit Corporation Act, Article 1396-2.22A, Vernon's Annotated Civil Statutes, as it now exists or hereafter may be amended and by the Charitable Immunity and Liability Act, Chapter 84 of the Civil Practices and Remedies Code.

Section 8. Removal From Office

In executing the duties of their office, board members are expected to carry out applicable laws and regulations as well as League bylaws, mission, policies, principles, positions, standards, and procedures. Board members who do not shall be counseled. If violations persist, they may be removed from office by a two-thirds vote of the board of directors. A board member may resign at any time by providing written notice to LWVTX.

Article VII. Convention

Section 1. Place, Date, and Call

A convention of the LWVTX shall be held biennially in the even-numbered years at a time and place determined by the state board. A first call to convention shall be sent to the presidents of local Leagues, to the chairs of Leagues at Large, and to state members not in Leagues at Large at least 120 days before the date fixed in said call. Thereafter, the state board may advance or postpone this date by not more than 14 days. A final call, giving the exact time and place of the convention, shall be issued at least 42 days before the session opens.

Section 2. Composition

The convention shall consist of

- a. the president of each local League/League at large or an alternate, in the event the president is unable to attend;
- b. delegates chosen by members of local Leagues/Leagues at Large as follows: One delegate for the first 15 voting members, and one delegate for every 10 additional voting members or major fraction thereof.

The official membership count shall be determined by state office records of voting members as of January 31 of the year in which convention is held; and c. the members of the state board.

Section 3. Delegate Qualifications and Voting

All delegates shall be voting members of the LWVTX. The convention shall be the sole judge of whether or not a delegate is qualified to vote. Absentee or proxy voting shall not be permitted. A majority of delegates present shall be sufficient to approve actions, as long as the conditions for a quorum are met (except as provided below).

Section 4. Powers

The convention shall adopt a program; elect officers and directors, the chair and two members of the nominating committee; adopt a budget; and transact such other business as may properly come before it.

Section 5. Quorum

A quorum shall consist of a majority of the delegates registered at the convention provided that no fewer than a majority of local Leagues are represented.

Article VIII. Statewide Conference

Section 1. Place, Date, and Call

A statewide conference may be called as needed at a time and place determined by the state board. A formal call shall be issued to local League presidents and chairs of Leagues at Large at least 30 days before a statewide conference meeting.

Section 2. Purpose

The purpose of the statewide conference shall be determined by the interests and needs of members, local Leagues, Leagues at Large, and the state board. The statewide conference is open to all League members. Business may be conducted if necessary.

Section 3. Conduct of Business

- a. In event of conduct of business, eligible voters will be as follows:
 - 1) the president of each local League or an alternate, in the event the president is unable to attend; and one other delegate chosen by the local League board. Each League at Large with at least five members shall be entitled to one voting delegate;

and

- 2) the members of the state board.
- b. *Quorum*. A majority of voting delegates registered at statewide conference shall constitute a quorum provided that no fewer than a majority of local Leagues are represented.
- c. A majority of those delegates present shall be sufficient to approve actions, if the conditions for a quorum are met (except as provided below).

Section 4. Powers

- a. In the event of conduct of business, the statewide conference may give guidance to the state board on program and methods of work.
 - b. In the event of an emergency, the statewide conference may change the program upon recommendation of the state board or a local League, using the following procedure:
 - 1) Any local League proposing a change shall submit it to the state board at least 60 days before a proposed statewide conference; the state board shall decide whether or not to recommend the change.
 - 2) At least 30 days before the statewide conference, the state board shall send to the presidents of local Leagues all proposed changes.
 - 3) A majority vote of the delegates present and voting shall be required for consideration of any change proposed by a local League and not recommended by the state board.
 - 4) A two-thirds vote of the delegates present and voting shall be required to adopt any change.
- c. The statewide conference may transact other business that may properly come before it.

ARTICLE IX. NOMINATIONS AND ELECTIONS

Section 1. Nominating Committee

The nominating committee shall consist of five members. The chair and two members, who shall not be members of the state board, shall be elected by the convention. At its first board meeting, the state board

shall appoint two of its members to the committee. Vacancies shall be filled by appointment by the state board maintaining the off board/on board representation. Section 2. Suggestions for Nominations

The chair of the nominating committee shall request suggestions for nominations through the president of each local League and the chairs of Leagues at Large by advising them of the offices to be filled and the address to which suggestions are to be sent. Members may submit suggestions directly to the committee.

Section 3. Report of the Nominating Committee

The report of the nominating committee, containing its nominations for officers and directors and the chair and two members of the next nominating committee, shall be sent to the presidents of local Leagues and to the chairs of Leagues at Large at least 30 days before the convention. The report of the nominating committee shall be presented to the convention on the first day of the convention. Nominations may be made from the floor immediately thereafter provided the consent of the nominee has been obtained.

Section 4. Election

The administration of the election shall be the responsibility of an election committee appointed by the president on the first day of the convention. Election shall be by ballot except that if there is only one nominee for an office it shall be by voice vote. A majority vote of the delegates present and voting shall constitute an election.

ARTICLE X. PRINCIPLES AND PROGRAM

Section 1. Principles

The principles are concepts of government adopted by the national convention and supported by the League as a whole. They are the authorization for the adoption of national, state, and local program.

Section 2. Program

The program of the LWVTX shall consist of action to implement the principles and those state governmental issues chosen by the convention, or statewide conference, using the procedure outlined in Article VIII, Section 4, for concerted study or concurrence and action as follows: a. Local League/League at Large boards may make recommendations for state program,

- including proposed concurrence, to the state board at least 3 months before the convention or statewide meeting.
- b. The state board shall consider these recommendations and formulate a proposed program, which shall be sent to the presidents of local Leagues and to the chairs of Leagues at Large at least 30 days before the convention or statewide conference.
- c. Any League or the state board that plans to propose the adoption or amendment of a state League position by concurrence on the floor of the convention shall give notice to the state office to be sent to all local Leagues/Leagues at Large and the state board, of its intent to do so at least 6 weeks before the convention. The proposing League or state board shall send background information, including pros and cons on the issue and an explanation of the rationale for using this form of member agreement to the state office, and the state office shall send the information to all local Leagues, state board, and Leagues at Large at least 30 days before convention.
- d. The convention shall adopt the proposed program by a majority vote on each subject presented to it. A program recommendation submitted to the state board at least 3 months prior to convention but not proposed by the state board may be adopted by the convention if its consideration is ordered by a majority vote of the convention. A two-thirds vote is required to adopt a nonproposed item, or to amend or adopt a state League position by concurrence on the floor of the convention.

Section 3. Program Action

Local Leagues/Leagues at Large may act on program only in conformity with positions taken by the LWVUS or the LWVTX. Local Leagues, Leagues at Large, or members may act on program at the state level in the name of the League only when authorized to do so by the state board.

ARTICLE XI. NATIONAL CONVENTION AND COUNCIL

Section 1. National Convention

The state board, at its earliest meeting of the year in which the convention is held, shall elect delegates to the national convention in the number allowed the LWVTX under the provisions of the bylaws of the LWVUS.

Section 2. National Council

The state board, at its earliest meeting of the year in which the council is held, shall elect delegates to the national council in the number allowed the LWVTX under the provisions of the bylaws of LWVUS.

ARTICLE XII. FINANCIAL ADMINISTRATION

Section 1. Fiscal Year

The fiscal year of the LWVTX shall be from June 1 to May 31 of each year.

Section 2. Financial Support

- a. Annually the local Leagues shall assume financial responsibility for the work of the LWVTX. b. Each local League shall make an annual per member payment to the LWVTX in an amount to be determined by a three-fifths vote of the delegates present and voting at each convention. When two or more members reside at the same address in a common household, the payment determined by the convention shall be made for the first member; a payment equal to one-half the per member payment shall be paid for each other member. A local League shall be excused from making a per member payment for life members. Each state member shall pay annual dues to the LWVTX in an amount set by the state board.
- c. Student members enrolled in a school or university shall pay an annual per member payment at a reduced rate.
- d. Responsibility for additional support for the LWVTX shall be assumed by the state board, which shall develop and solicit other sources for funding the state League and shall encourage supporters of the state League to contribute also to any local Leagues in their area.

Section 3. Budget Committee

A 2-year budget shall be prepared by a committee appointed for that purpose at least 180 days before the convention. The committee shall include at least two board members and one nonboard member, and shall include the treasurer, who shall be ex officio but shall not be eligible to serve as chair.

Section 4. The Budget

The state board shall send to the presidents of local Leagues and to chairs of Leagues at Large, at least 30 days before the convention, a proposed 2-year budget. A budget shall be adopted by a majority vote except that the per member payment shall be approved as provided in Section 2 of this Article.

Section 5. Conflicts of Interest

The board of directors shall adopt a conflict-of-interest policy and an annual disclosure process that applies to all officers and directors of LWVTX.

Section 6. Distribution of Funds on Dissolution

In the event of the dissolution of the LWVTX, after paying or making provision for the payment of all the liabilities of the LWVTX, all assets of the LWVTX shall be distributed to an organization that is recognized as exempt under Internal Revenue Code Section 501(c)(3), or the corresponding section of any future federal tax code, and that is part of the League of Women Voters national organization. If no such organization is then in existence, then the LWVTX assets, after paying or making provision for the payment of all the liabilities, shall be distributed for one or more of the LWVTX exempt purposes within the meaning of Internal Revenue Code Section 501(c)(3), or shall be distributed to the federal government, or to a state or local government, for a public purpose. The manner of distribution and recipient(s) of the LWVTX assets shall be determined by the board or such other persons as shall be charged by law with the liquidation or winding up of the LWVTX and its affairs.

ARTICLE XIII. PARLIAMENTARY AUTHORITY

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the organization in all cases to which they are applicable and are not inconsistent with these bylaws.

ARTICLE XIV. AMENDMENTS

These bylaws may be amended at any convention by a two-thirds vote of delegates present and voting provided that the proposed amendment was submitted to the state board at least 120 days before convention by a local League board, or has been proposed by the state board. The state board shall send all such proposed amendments, together with the board's recommendations, to the presidents of local Leagues and to the chairs of Leagues at Large at least 30 days before the convention.















I will vote in every election to stand up for what matters most to me, my family, and my community!





League of Women Voters of Texas

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Message



League of Women Voters of Texas

March 30 - 3

Texas' new voting law disenfranchised 15% of El Paso's absentee voters, the county's longest-tenured and most active voters, during the March 1 primary.

Learn more LWVTexas.org



https://www.facebook.com/LWVTexas/posts/pfbid02sLvrNcczDHHmXeJDkwmcUXSWENUiopKa26qajLkWiYfeY8qjoodsheAPu8VYMKNsl









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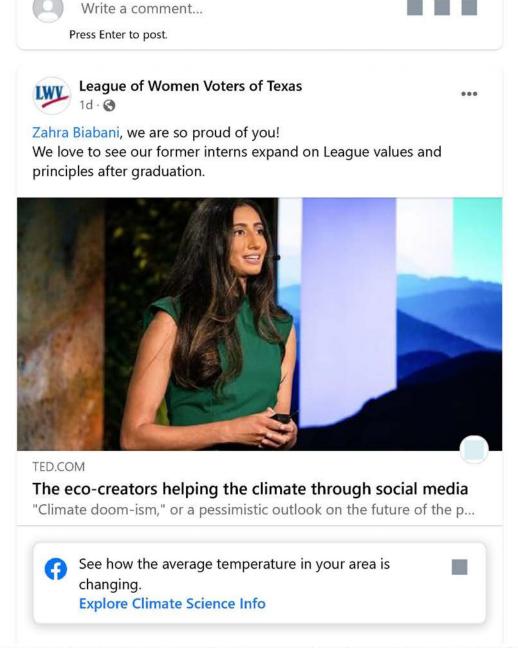








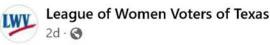












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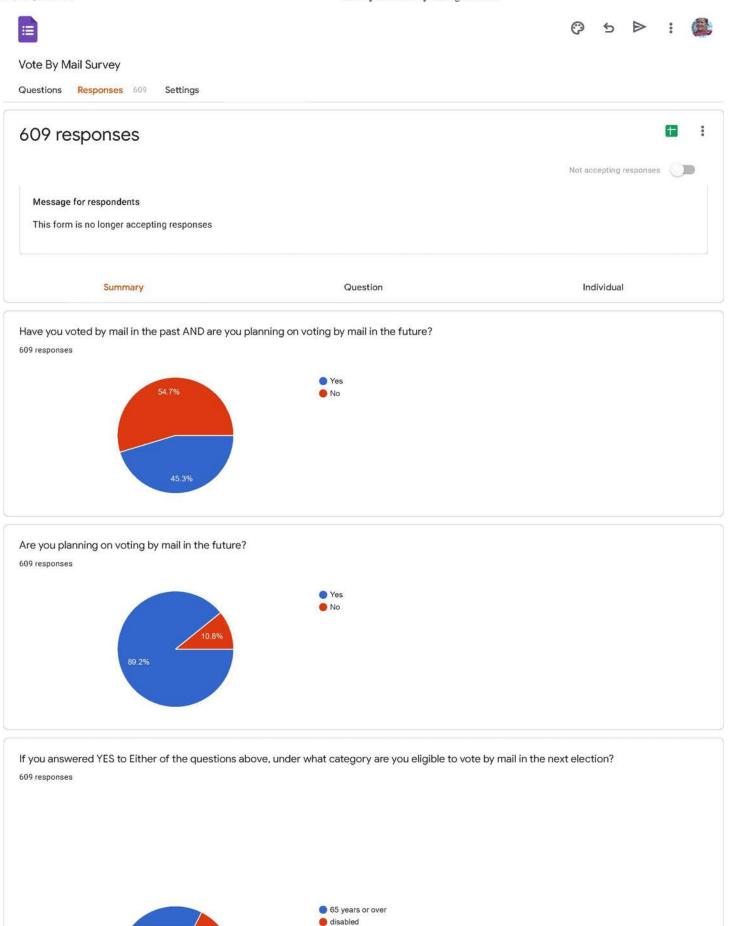






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Submitted to the Court via USB Drive Under Seal



League of Women Voters of Texas Statement on the Impact of SB 1 on Elections

For Immediate Release September 7, 2021

Contact Information Grace Chimene 512-940-9948

AUSTIN, TEXAS—The League of Women Voters of Texas president, Grace Chimene, issued the following statement in response to Governor Abbot's signing of the elections bill, SB 1.

During the last election cycle, Texans all over the state benefited from more voting opportunities, such as expansion of early voting, extended hours at the polling places, and more options to return vote-by-mail ballots. These are the kinds of measures that Texans want. With the enactment of SB 1, these measures are now prohibited. SB 1 adds to the morass of our election laws by using broad and confusing language, creating barriers to voting, and adding criminal offenses.

The following are the League's highest concerns, which are shared by a number of other nonpartisan groups as well.

- SB 1 threatens election officials with criminal prosecution for enacting procedures to meet local community needs to increase voter participation;
- It threatens advocacy groups and individuals with felony prosecution for providing needed assistance to voters at polling locations and with mail ballots;
- It limits the ability of election judges to remove disruptive or intimidating partisan poll watchers;
- SB 1 allows partisan poll watchers to take election officials to court over perceived obstruction.

In addition, there are several other measures in the bill that will make voting more confusing and thus harder. For instance mail voters are now required to include the ID number contained in their original registration records when applying for or returning mail ballots. Also it will be harder for some voters to participate because this legislation bans ballot drop boxes and drive-through voting.

Other measure work against our hard-working elections officials such as requiring new procedures for purging lists of registered voters, and threatening local officials with loss of employment and civil penalties for failing to maintain voter lists to the satisfaction of the Secretary of State. The law also requires audits which disproportionately target our more populous counties.

All in all, this legislation is a step backward for voter participation and will do nothing to address the possibility of fraud.

The League of Women Voters of Texas (LWVTX) is a nonpartisan citizens' organization that has fought since 1919 to improve our government and engage all citizens in the decisions that impact their lives. It represents 31 Leagues and more than 7000 members and supporters throughout Texas.

The League of Women Voters never supports or opposes candidates for office or political parties. The member-driven organization of women and men encourages the informed and active participation of citizens in government and seeks to influence public policy through education and advocacy of positions based on extensive issue study and consensus.



TESTIMONY

LEAGUE OF WOMEN VOTERS OF TEXAS

Federal Subcommittee on Elections, Committee on House Administration

March 17, 2022

This testimony is on behalf of the League of Women Voters of Texas about <u>Voting in America</u>: "Ensuring Free and Fair Access to the Ballot in Texas". We appreciate the opportunity to share our perspective.

During the 2020 General Election, Texans all over the state benefited from more voting opportunities, such as expansion of early voting, extended hours at the polling places, and more options to return vote-by-mail ballots.

But recently, Texas held the first 2022 primary election in the nation under the additional stress of a new, massive election bill, Senate Bill 1, which created even more challenges for voters in Texas. The new election law caused heart-breaking confusion among voters throughout the primary election. Most notably, the new ID number requirements that needed to be added in Ballot by Mail applications and ballot carrier envelopes complicated voting. These new requirements hit older voters and voters with disabilities particularly hard. The final election reports show an extraordinary percentage of vote-by-mail ballots were rejected (Texas Tribune article 3.11.22). But election officials were not allowed to promote or even educate voters about the new Ballot by Mail processes under threats of criminal prosecution. Senate Bill 1 also targeted all the previously mentioned expansions to voting opportunities by outright prohibiting them.

Election officials were also overwhelmed with the major overhaul to the election laws. The Secretary of State's office, which had the enormous task of carrying out the massive updates to the Election Code, was late in providing updates to its website, in training county election officials, and in sharing official guidance to county election officials on these major changes. Voter education and voting access were the casualties of the draconian changes in election law and severe delay in useful and vital education. It is a tragedy for our democracy when state leaders choose to support a partisan agenda

instead of voters when writing state election law resulting in a massive rejection of voteby-mail ballots.

Texas voters were able to submit annual vote-by-mail applications beginning January 1, 2022. Yet, when volunteers with the League of Women Voters of Texas conducted a Primary Election County Election Website review in early February, they noted that the Texas Secretary of State updated the link to the Application for a Ballot by Mail PDF (ABBM), but eligibility and instructions for the new application were not updated. It was not until February 6th, more than a month after voters 65 and over and voters with disabilities began to fill out their annual applications, that the state website, VoteTexas.gov, was finally updated. We found that, of the 254 counties in Texas, only 120 (47%) provided up-to-date vote by mail information. Five counties still offered the outdated ABBM. The new Secretary of State's mail ballot tracker was offered by only 74 (29%) counties.

In addition to new voting requirements, the new election law also made election officials subject to new criminal penalties and provided more authority to partisan poll watchers. Voters reported unplanned closures of polling sites due to lack of election workers (Texas Tribune article 3.1.22).

Our primary election did not need to be difficult for voters. The League of Women Voters of Texas and our voting rights partners warned the Texas Legislature that SB1 would have negative consequences for voter access in our state. Because of this new election law, too many voters were silenced during our primary elections. It is critical that the Secretary of State show a real urgency in fixing many of the voting challenges before the November General Election. In particular, the League believes that the Secretary of State needs to work in collaboration with counties to address the obstacles voters faced in the primaries. The League of Women Voters of Texas will continue to support voter education and provide useful information to encourage voters to participate in our elections.

Texas is one of many states that is going backwards in ensuring the right to vote. What used to be a pride of bipartisan collaboration, is now relegated to political sound bites. The federal *Voting Rights Act* must be restored to ensure that every voter in Texas—regardless of where they live, what they look like, how old they are, if they have disabilities or what language they speak—has equal access to the ballot box and is protected from unfair laws and practices that make it harder for people to vote.

Below you will find information collected directly from Texas voters about the challenges they faced in the primary election because of the new law. We have omitted

identifying details, but we hope the stories represented will provide you with the personal connection to the issues that are created when lawmakers seek to limit access to voting.

For additional information, please contact: Grace Chimene, President, League of Women Voters of Texas gchimene@lwvtexas.org

The League of Women Voters is one of America's oldest and most trusted civic nonprofit organizations. Formed in 1919, the League of Women Voters of Texas represents over 13,000 grassroots advocates and 34 local Leagues across the State of Texas.

The League of Women Voters never supports or opposes candidates for office or political parties. We encourage the informed and active participation of citizens in government and seek to influence public policy through education and advocacy.

Addendum: Stories from Texas Voters

After the March 1st primary election, The League of Women Voters of Texas conducted a *Share your voting story* survey. The form gathered stories from Texas voters about voting in that election and asked questions about the voting experience in the wake of the new law. LWVTX hopes the stories collected through this form will help to determine the impact that the new voting procedures had on Texas voters. Voters from 26 counties have replied to the survey so far and the survey is still active.

The following excerpts (with identifying information removed) illustrate the struggles that Texas voters faced when they sought to apply for a vote by mail ballot and then cast their vote by mail.

Survey Responses

"When I checked about it, I found no evidence that I had applied!"

"We signed up several years ago. For the first time since signing up we did not get our mail in ballot."

"I live in ***** and had a special election at the end of January. I am disabled and vote by mail. I emailed the ***** County elections division about the procedure. There was some confusion on their part; one person told me they could not receive applications until after January 1st, but then I got an official signed response from someone who said that the special election was an exception. I didn't realize that I had to use the same number to register that I had used when I first registered, but I entered my driver's license number, and that turned out to be correct.

"My mailed-in application for a BBM had not appeared in the online tracker showing it had been received late the following week, so I sent a pre-scanned copy in an email. I received an email confirming my application was received and a ballot being sent to me. Once I received the BBM and returned it, I checked online and couldn't tell if it had been received. So, I called and was told it had arrived and been counted before election day."

"I was frustrated that the lookup of the progress of the acceptance of my ballot had changed, and my information seemed to confuse the new system and it was very difficult to find out if my ballots had been received and accepted."

"Definitely harder to comprehend than in the past, don't remember having to add ID NO. or SSN. MUCH DIFFICULT FOR ELDERLY VOTERS."

"After being denied twice, I got my ballot and mailed it back. ***** County shows it was received 3x on 2 dates, but the SOS doesn't show me as registered. I called the County Board to see if my ballot was counted, but haven't heard back"

"I received a call on a Saturday 10 days before the election day that my ballot's outside envelope did not have ID information. I was asked if I would like my ballot returned to me to correct the error and I said, "Yes." I received the ballot and sure enough I had missed seeing the spot that required me to give ID information. It was in small print, and I had overlooked that area. I filled out a new envelope that was sent and returned my ballot. I'm assuming it was delivered and counted. The interesting thing is that my husband did not have an ID on his envelope either because we marked our ballots and envelopes the same. They overlooked the error on his or just didn't bother to contact him and threw his ballot out. I was never able to track our ballots because the website kept shutting down. I'm always careful to make sure everything is filled out correctly. The fact the ID information was way at the top and very small was probably why I missed that needed information. I find it difficult to believe I'd be the only person to overlook that area. I'm sure the letter that came with the ballot did not mention that information was needed or I'm certain I would have noticed and given the ID information."

"I hand carried my mail-in ballot to the ***** County Courthouse during early voting and they would not accept it. The man even told me that I did not have to put a stamp on it, just drop it in the mailbox outside the courthouse. I later Googled and found that Texas DOES require postage, but I had already dropped it in the mailbox."

"When I voted in the January election, they used the old envelopes, and I didn't have to enter a number. When I voted in the March primary, I entered a number from my driver's license, which I assumed was correct, but I got an email saying that my ballot was rejected. That was quite upsetting. I tried to fix it myself online but was not able to, so I called ***** County. A woman there walked me through the process. There are two numbers on the driver's license, and I had entered the wrong one. I didn't even see the other number for some reason. I checked the status of my ballot some days later, and it said that it was accepted."

"I successfully completed my ballot by mail. My ballot was accepted. But it wasn't easy. First of all, the cumbersome ballot made it very difficult and the necessity to completely fill every box made me nervous. Also, the last minute ask for my email address phone number social security for digits and driver's license on that secret line underneath the envelope flap was really upsetting. I am a voter registrar, a

voter of many years, and an educated woman, so if it was difficult for me to figure out how to fill out that ballot, it must have been a nightmare for people who have fewer skills or experience. I'm very upset by the new laws."

"I voted by mail; vote has not been counted as of today March 7, 2022. I didn't sign the envelope b4 mailing. I made the correction Online. I have used tracking my ballot check Update on my ballot, no results yet. I have called five times to the election dept. No results, my vote remains Uncounted."

"I entered both SSN & TDL just to be sure I had the correct one & checked the box "for all elections." Received a letter asking me to reapply if I wanted a mail in ballot for the primaries, as there was a box, I missed next to "all elections" to specify which party for the primary. I received my ballot after early voting started. By that time there were already reports of how many mailed ballots were being rejected, so I voted in person & surrendered my mail-in ballot."

"I received the ballot promptly but when I voted it came back noting an error. I hadn't used the same ID as when I register evidently. I corrected over the phone but then received a ballot to correct what I had already corrected. Trying to verify that the corrected ballot had been received proved impossible."

"This experience really shook my confidence in my state government's handling of elections!"

"This was only my second time to vote by mail, and it was a lot harder this time! I don't know if my ballot got delivered or counted. I mailed it on the Friday before the election on Tuesday."

"It took 3 applications before I finally got the mail in ballot. After the second try the information said it was possible to correct my deficiency by email. But when I tried after great difficulty, I was informed that my application was never received."

"My experience was rocky. My first application for the mail-in ballot never arrived or was somehow misplaced at the ***** County Early Voting Clerk's office. The office had no record of my application. I learned this through the Mail-in Ballot Application Tracker and a subsequent phone call to the office. The representative there was helpful and advised me to complete a new application, which I did. The second application was accepted, and I eventually received my ballot with a little over a week to spare before the deadline for return.

I mailed the completed ballot, and it was delivered and received on 2/27. On 3/4, I received a "Notice of Carrier Defect" letter from the Secretary of State. It

indicated a #4 error, meaning that some information was omitted from the Carrier Envelope. When I repeatedly attempted to correct the error online following the convoluted instructions in the very poorly constructed letter, I continually received a "No voter could be found for the details entered" message.

When the offices opened on Monday 3/7, I called the ***** County Early Voting Clerk's office as directed in the letter. I explained the response to my online attempts to correct the error. The representative responded in a dismissive and patronizing way that she knew nothing about the website, that the "Corrective Action Form" was only available in person at the Early Voting Clerk's office in downtown *****. She told me to phone the Secretary of State's office. There I spoke with *****, who was exceptionally helpful. She explained that the problem was a lack of communication between the DPS and SoState databases that caused my DPS information to not be recognized by SoState and vice versa. She emailed very clear directions to "change", actually re-enter, my profile information into the DPS database. This action created the proper linkage and caused my ballot to be accepted. I've yet to see the result in the Ballot Tracker, but Ms. ***** assured me that my vote was counted even though it might take several days to show acceptance in the Ballot Tracker. All of this was apparently due to a software glitch that unknowingly affected untold numbers of voters!!!"

"I didn't get notice that it was approved until after I voted. Therefore, I had to work with the judge to cancel the mail in ballot request before I could vote in person."

"I returned the mail-in ballot by mid-February, far in advance of the March 1 Primary Election Date. Imagine my surprise when --two days after election day -- a ballot rejection letter arrived. Like an idiot (or perhaps more like an average voter), I had incorrectly entered i.d. information on the INSIDE FLAP of the carrier envelope! Getting online to www.votetexas.gov and figuring out how to find the "Ballot by Mail Tracker" was a real challenge...there is no such item listed on the votetexas.gov home page. I tried entering "Ballot by Mail Tracker" in the "search" option & got 1 hit: "zipmilitary-and-overseas-voters.ppsx." I tried another search: "track mail ballot" & got 4 hits, none of which included the words "Ballot by Mail Tracker." I threw reason to the wind and clicked the 1st hit "Military and Overseas Voters." And there it was on the sidebar: Track Your Ballot by Mail! I clicked, then found I had to click through to yet another page where I filled out the form -- which was a challenge in and of itself -- and I found my ballot had been received and rejected Feb 22. So why did it take 11 days for me to receive the NOTICE OF CARRIER DEFECT letter?? I DID (as required by law) "correct"

my ballot online within 6 days after Election Day. As of today, March 9, my ballot is still under review. No wonder so many ballots were rejected and ultimately will not count in this election. This system is a travesty which has and will prevent thousands of voting by mail in any election. So much for free and fair elections..."

"My mom is 81. She had been requesting mail ballots during Covid but decided not to in this primary due to SB1. She switched to voting early in person."

"My husband received an application to apply for the vote by mail ballot as usual. I never received an application."

"I am over 65. I applied for a Ballot by Mail. On the ID question, you could list EITHER YOUR DRIVERS LICENSE OR THE LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER. I thought it was an either/or question so I put down the last four digits. It was not indicated that whichever number you put down HAD TO BE THE SAME ONE YOUR USED IN YOUR INITIAL TEXAS VOTER REGISTRATION. In my case that would have been over 30 years ago, and I certainly didn't remember. I listed the last four digits of my social security number.

When I didn't receive my ballot, I called and was told that in ***** County the (mostly Democratic) election officials were aware of this voter suppression tactic in the GOP voting law. Since these election officials had access to my driver's license number through other databases, they were able to complete my application and I received my Ballot by Mail in enough time to vote."

"Never received it."

"The application is too long; the print is too small for seniors to read. The language is misleading/erroneous relative to required and optional information, leading voters to have their applications rejected. For example, instructing voters to fill in "one" of the numbers, leading to rejection of the application because of voters filling in the "wrong" number."

"I sent in my Application for Ballot by Mail in mid-January. I never received the mail ballot. I call **** County Elections Dept one week before March 1. The staffer said that I would receive my ballot that day or the next day. Ha! It never came."

"I applied for a BBM for my husband who is 80 and disabled now. The ABBM worked just fine. Ballot came within 2 weeks of the election day, and I mailed at US P.O. But I had conflicting info on various websites about the status of his

returned ballot and his vote. Several ways to track and one did not even recognize him as a voter!!"

"Rejected, said date was too late."

Letters shared with League of Women Voters of Texas

"Good afternoon, **** – you and our staff certainly deserve our huge thanks and appreciation for going "above and beyond" to get rejected ballots cured and the required documentation timely into your office!

It is actually embarrassing to me that my mail-in ballot was rejected; I read the instructions and knew about the requirement to supply TDL # and/or SSN – but honestly, after putting the ballot envelope into the carrier envelope and sealing it, I could NOT find a space to put in that information. (Now I know why – the place is UNDER THE FLAP, and needs to be provided before sealing the carrier envelope*). I assumed that the sticker that the elections office put on the envelope would be enough to identify me and that the ballot would be accepted – how wrong I was!

Of course, when I received your letter to say that my ballot had been rejected, I went on-line, as instructed, and tried to cure it that way, to save me a trip to your office in **** (since that is a 45-minute drive one-way). I followed instructions; gave my TDL and SSN, and upon review, it still said "rejected." So, I thought I'd give it a couple of days, and it would most likely be updated. Thank goodness I checked on the status again today; it still said "rejected," and that's when I called your office and was told today was the last day to bring the information in. I was eventually told that someone could come by to pick up the Corrective Action form.... I can only imagine how many people will not – or would not have – gone thru the trouble to cure a defective ballot – I am so angry at what the Texas Legislature did to us voters!

Well, anyway, thank you so much again - you're a rock star!"

"I was at an event on Saturday, March 5th and there was a LWV booth there.

I explained to them that I have voted since I turned 18 and now, I am 76 years old, I have never experienced as much trouble voting as I experienced this month.

I requested in a mail in ballot and that application was sent back to me and my husband as it was missing

party affiliation. I completed and sent back in. I did receive ballots for the both of us and completed and then sent in well before election.

Then we get a letter stating that we did not include the DL#/SS# on the envelope. I had not had to do this previously. We just returned from the election office and found that we now have to include the number on the envelope which is located under the flap. It was explained as a new edition to mail in ballots even though our numbers are included in our application. We did and hopefully now our vote counts.

I was told that you wanted to hear about these cases so you can document how this new voting law does indeed suppress the vote. I know that many people in this same situation would not go to the voting office to correct error. While we were there, there were two people who were trying to correct this same thing."

"I have voted in every election since I became eligible (except for 1960 when I was in the hospital with my newborn). I always vote. I picked up an application for ballot-by-mail at my residence (name of assisted living center). I completed the application, mailed it, and got back a letter that the application was rejected. So, I drove to the county elections office to file an application in person. I filled out the form and asked the person at the elections office to review it - which she did. I then submitted my application person."

Tell us about your experience assisting a voter with the Ballot by Mail process.

"I shared information with my children who are Texas residents and in college to apply for a mail in ballot. The process was challenging, and my kids chose not to vote in the primaries."

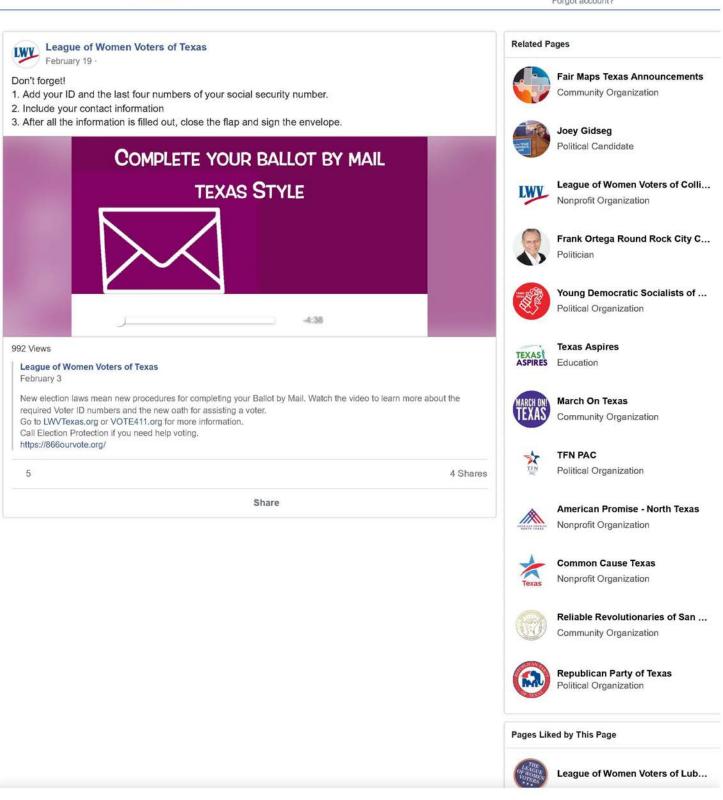
"I was a judge for early and election day. I served a lot of voters who had applied for VBM ballots and had not gotten them yet. SB1 molested the whole schedule everything started late, people had to iterate because of missing information, and there were delays at the post office."

"Even though my husband and I are eligible for ballot by mail due to our age, we advised each other NOT to do so because we don't trust it because of the new laws implemented under Republican legislature."

"As a resident of *****, an independent living and health care community, I offered my assistance to numerous fellow residents. Some had the application for BBM rejected (some more than once). Some couldn't read it because of print size."

I worked as an alternate judge at a Hays County oters bring in mail-in ballots that had been retu	

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	the May 7th elec	day to register to tio See more
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From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene <gchimene@lwvtexas.org> [gchimene@lwvtexas.org]

Sent: 1/6/2022 9:11:17 AM

To: secretary@sos.texas.gov; Keith Ingram [KIngram@sos.texas.gov]; Christina Adkins [CAdkins@sos.texas.gov]

CC: Dorothy Marchand [dmarchand@lwvtexas.org]; Susan Schultz [sschultz@lwvtexas.org]

Subject: Updates needed to votetexas.gov, texas.gov, county election websites

John B. Scott, Texas Secretary of State

The League of Women Voters of Texas appreciates the Secretary of State's hard work implementing the new election laws. With the March Primary Election about to take place, it is critical that voting information be easy to find, written in plain language, and accurate on votetexas.gov, texas.gov, and all county election websites. Our democracy and the voters in Texas rely on this information.

Since December, when the major election law became effective, I have sent several emails regarding incorrect voter information on <u>votetexas.gov</u>.

County election administrators and voters across Texas rely on accurate voter information provided at votetexas.gov. The League has reviewed all 254 county election websites and the Secretary of State's websites in major elections since 2016. Our goal is to improve voter education. In our 2020 General Election review, we noted that 178 or 70% of county websites shared a link to votetexas.gov. The county election website reviews are available on our website here. The county website review for the Texas Primary Election begins in February.

Please note that we are getting notices that some counties have not updated to the new Application Ballot By Mail (ABBM) on their website. Please consider sending a reminder email.

In preparation for our county website review, we will be reviewing <u>votetexas.gov</u> next Monday to gauge whether voters have access to needed information. Please consider this email as notice that voter information on the SOS website must be accurate and needs to be updated. In particular:

votetexas.gov

Vote by Mail - https://www.sos.texas.gov/elections/voter/reqabbm.shtml

January 1st was the first day that voters over 65 and those with a disability who wish to vote by mail were able to apply for the ABBM. Those voters and absentee voters need the correct information to fill out the **new** ABBM

Thankfully, the ABBM is accurate. The list of who is eligible to vote using ballot by mail and how to fill out the application has not been updated.

Voter Registration - https://www.votetexas.gov/register-to-vote/did-you-change-something.html
January 31st is the deadline for voter registration. We are in our final push for voter registration and this information has not been updated.

"As long as you reside in the same county", you can change your information online at the <u>Secretary of State's Voter Registration Name/Address Change</u> website.

Texas.gov

This website is included on notices to voters with voter registration issues, yet there is nothing on the menu to guide the voter to the information. A voter would have to go to <u>texas.gov</u>, click on resident, then on living in texas, then scroll down to find how to update their voter registration.

The League of Women Voters works hard to educate **all** voters regardless of party, on how to participate in our democracy. We rely on the accuracy of the voter information provided on <u>votetexas.gov</u>. Thank you so much for assisting us with these issues.

--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

Empowering Voters. Defending Democracy

Exhibit 124

League of Women Voters of Texas Recommendations for the Texas Secretary of State Elections Division

1. SOS website enhancement

- a. Add an official Student Voter webpage on VoteTexas.gov. This will:
 - i. welcome young voters, high school, and college student voters, who are the future of our democracy to voting in every election;
 - ii. provide important information specific to them which can be easily accessible, such as basic educational information about how and where college students can register and vote;
 - iii. provide counties with an official page link on VoteTexas.gov to share with the young voters in their community.
- b. Align the mobile view of VoteTexas.gov with the desktop view for consistency, ease of use and accuracy.
 - i. The mobile version does not provide the same detailed information for voting by mail, registering to vote etc. as the desktop version. More and more voters use their phones to access online information. Voters who use their phones to access VoteTexas.gov are not receiving important voting information.
- c. Continue to improve the use of plain language on the Voting by Mail web page provided on VoteTexas.gov.
 - i. The League appreciates the improvements to VoteTexas.gov, including the addition of helpful graphics and explanations of the process of voting by mail.
- d. Improve the Application for a Ballot by Mail form on the Secretary of State's website¹.
 - i. Add clarifying information about ID requirements.
 - ii. Help voters by using simple step-by-step instructions for filling out the application, similar to instructions developed by LWV Texas and the Center of Civic Design.
 - iii. Add a video and/or graphics for clarity.
 - iv. Consider combining or linking to the much improved VoteTexas.gov Voting by Mail page.
- e. Track My Ballot tool
 - i. Make the process to input your address easier.
 - ii. Add a video(LWV Texas example at https://www.youtube.com/watch?v=rfTIPFizgzc) and/or instructions about the process.

¹ Although we oppose the ID number requirements for VBM applications and ballots in their entirety, we suggest certain changes in SOS policies, including in Sections 1(d) and 4 of this document, to attempt to mitigate some of the harms from the ID requirements.

- f. Ensure the SOS website is fully language accessible in compliance with Sec. 203(b) of the VRA.
 - i. On the SOS's Spanish voter education website (VoteTexas.gov/es) many menu items link to English web pages. Even the SOS's complaint form is only offered in English.

2. County Websites

a. Encourage officially designated county websites to use a free government-verified DotGov domain. This assures voters are getting official trusted information and not misinformation from scam sites pretending to be official county websites.

3. Voter registration

- a. Automatically send voter registration forms to high schools, instead of the high school having to request them.
 - i. Enhance follow-up with high schools.
 - ii. Create more education for students (see SOS website enhancement section about Student Voter recommendation).
- b. Create more instructional/educational videos on the online voter registration site, where you can update your address if you move within the state.
- c. Send a confirmation email when a voter updates their voter registration address using the SOS website.

4. Vote-by-Mail (VBM) enhancements²

- a. Remove VBM information from the carrier envelope to be an insert like it is for military VBM.
- b. Simplify the VBM application to be easier to navigate, similar to the LWV Texas application designed in conjunction with the Center for Civic Design.
- c. Use larger font to enable seniors and visual impaired voters to more easily use.
- d. Review language translation and design of VBM materials that are in non-English languages.

5. Curbside voting

a. Improve training for election judges and poll workers to increase compliance with the administration of curbside voting. This should include requirements for effective and visible signage at every early voting and Election Day polling location.

- b. Update poll worker training to require a "runner" to assist with timely curbside voting administration.
- c. Advocate for increased funding to allow for more community outreach and improved voter awareness of curbside voting, especially in communities of color which face disproportionate challenges by existing inequities for curbside voting.
- d. Ensure counties have an ADA Coordinator. They would ensure regular compliance with the <u>ADA Checklist for Polling Places</u> and have the responsibility to implement remedies at polling locations ahead of the election period.

² Although we oppose the ID number requirements for VBM applications and ballots in their entirety, we suggest certain changes in SOS policies, including in Sections 1(e) and 4 in this document, to attempt to mitigate some of the harms from the ID requirements.

- 6. Poll worker and poll watcher training to help prevent misunderstandings before they occur and the spread of misinformation after an election.
 - a. Provide list of terms that might be misinterpreted Ex: "overvotes" actually means a "vote does not count because a voter marked more selections than is permitted", not that there have been "more voters casting ballots than are registered."
 - b. Provide a list of problems that could be misinterpreted, such as paper jams being confused with a ballot being counted twice.

7. Budget proposals

- a. Continue funding jurisdictions with grants to replace outdated election systems.
- b. Strengthen cybersecurity.
- c. To improve safety of election officials and boost employee retention rates:
 - i. Issue grants for home security systems;
 - ii. Provide funds for training and education on how election workers can protect themselves; and
 - iii. Allocate more resources for public education
 - Provide education for all ages and in all commonly spoken languages on civics, election processes, and media literacy so that mis- or disinformation is not propagated. Building resilience to disinformation through long-term educational efforts requires investments and expertise from leaders in education.
 - 2. Provide trusted and accurate election information by educating the public about when, where and how to vote, how votes are counted, and other election administration issues.

Exhibit 125

From: Elisabeth MacNamara [lwvtexas@lwvtexas.org]

Sent: 3/21/2023 8:02:14 AM
To: jlebombard@lwvtexas.org

Subject: LWVTX Capitol Action Report - 3/21/23

View in your browser

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March 21, 2023

Dear System,

Spring has sprung, bringing with it a lot of activity in the Legislature. SB 2 which makes illegal voting a felony and purports to make it easier to prove passed the Senate last week. We will be testifying against the bill as it makes its way through the House. We testified in favor of HB 357 last week because it would simplify the vote-by-mail tracking process. The House Community Safety Select Committee will be hearing a raft of bills this week. We are registering our support for several of them that would stiffen some penalties for firearms offenses, promote more mental health treatment and better reporting of protective orders. We will be testifying against permitting Election Judges with a license to carry, to carry their firearms at polling locations. Please note the Action Alerts on this as well as on HCR 36 which urges Congress to compensate the survivors of the Sutherland Springs mass shooting.

Also note the Action Alert concerning HB 3166 creating a state-wide court of appeals to handle appeals from cases in which the State is a party. We will be testifying against this bill, which is an attempt to preempt, in this case, the regional judicial selection system and allow state actors to avoid accountability.

One thing is very clear at this point: across all our priority issues, there is a push to discourage opposition to the most extreme outcomes and minority viewpoints. Texas is not alone is this effort. From public education to voting and elections to abortion rights, legislation that limits the discretion of local elected officials while expanding the reach of state officials is likely to gain traction. More bills to empower individuals to enforce the law through audits, records requests and lawsuits are popping up. This is a very disturbing trend. We are watching bills that permit removal of election administrators and prosecutors who do not toe ill-defined lines; that create a new state-wide court to handle cases against the state and new authority in the existing supreme court to review criminal cases; as mentioned above, that make it easier to prove ineligible voting; and the list goes on.

Opposing these efforts in the legislature is obvious. Less obvious may be the other assets the League has to combat and reverse this trend. After all, we didn't get to this point overnight (although lately, it seems so). Over 100 years of experience in deploying all the tools necessary to bend the arc of the moral universe come in handy at times like these. Our voices are strong and authentic, we live where we volunteer. Our reputation is sterling. Our methods are fair and factual. Above all, we are tireless organizers and fierce advocates.

The overarching call to action this session is to remember League Principles and our support for federalism, judicial independence, and the right of all eligible voters to cast a ballot and have it counted. After all, if we all stay in our lanes, our Constitutional system of government works.

In League,

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creating educational savings a		
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action alert for both the House	and Senate Judiciary Con	nmittees opposing HB 3166 and

SB 1045 creating a 15th Circuit Court of Appeals with statewide jurisdiction over cases against or involving the State of Texas.

Priority Issues

Women's Healthcare and Reproductive Rights

Catherine Maxwell

I want to share about HB 12 and why it is important. This bill by Rep Toni Rose is designed to provide twelve months of postpartum healthcare to maternity Medicaid patients. It is supported in the 88th Legislature by Speaker Dade Phelan and Governor Greg Abbott. The committee hearing was held last week and the bill is currently pending in committee. LWVTX was one of the endorsers of this legislation.

Why all the fuss: Over 50% of the births in Texas are paid for by Medicaid. These patients, who meet the federal guidelines, include students, those who are uninsured for maternity, those who may not have insurance at all such as retail workers, office workers, some healthcare workers, part time employees, and those who live in poverty—in short, it is a huge, diverse group we want to protect and support in our community.

To read the full update, click <u>l</u>	<u>here</u>
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Voting Rights and Election Law

Stephanie Swanson

Elections Update

Last week the League provided testimony in support of HB 357, which would reduce the number of personal identification requirements needed to track your ballot. This change would help reduce confusion in the vote by mail process. Click here to see LWVTX testimony.

SB 2 Passes Out of the Senate

Last week, the Senate voted SB 2 out of their chamber. The proposed changes to the Illegal Voting Statute included in SB 2 are vague and confusing which could lead to criminalization of simple mistakes at the polls. The Lt. Governor and other members of the legislature have made this bill a priority, despite the fact that election fraud is extremely rare in our state.

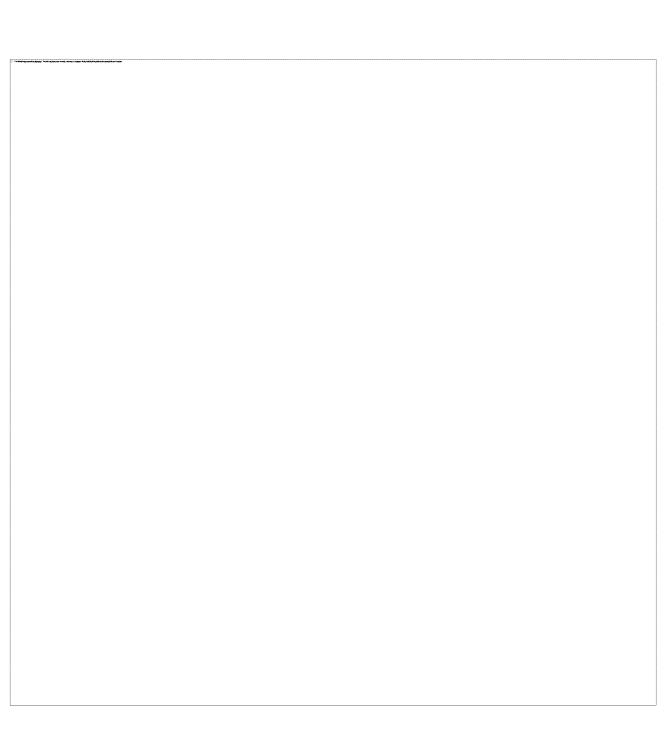
To read the full update, click here.

Take Action!

Do Not Arm Election Judges at Polling Places!

Oppose HB 636! Polling places need to be safe for all voters. Allowing election judges to carry handguns in polling places does not ensure safety it intimidates voters. Use our <u>Action Center</u> to write a letter to your legislators to oppose HB 636.

Take Action!



Support the Survivors and Relatives of the Victims from Sutherland Springs

Support HCR 36! The families of those who were killed or wounded at Sutherland Springs have fought for over five years for justice in a protracted, traumatizing, and

painful process. Use our <u>Action</u> to support HCR 36.	<u>Center</u> to write a letter to your legislators and ask them
	Take Action!
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League of Women Voters of Texas Top Priority Issues

Use our <u>Action Center</u> to write a letter to your legislators and take action on the League's top four priority issues:

- Voting Rights & Election Law
- Public Education
- Women's Health and Reproductive Choice
- Gun Safety

Take Action!



League of Women Voters of Texas

1212 Guadalupe St. #107 Austin Texas, 78701 (512) 472-1100

lwvtexas@lwvtexas.org



You have received this message from the mailing list of The League of Women Voters of Texas. If you would prefer not to receive these emails in the future, go to the <u>opt-out page</u> and modify your privacy settings. You can also request to be removed from our database completely.

Exhibit 126

From: Kayla Vix [KVix@lwv.org]

on behalf of Kayla Vix < KVix@lwv.org > [KVix@lwv.org]

Sent: 2/15/2022 10:25:54 AM

To: LWV Texas - Grace Chimene [gchimene@lwvtexas.org]

CC: Shannon Augustus [saugustus@lwv.org]; Communications [Communications2@lwv.org]

Subject: RE: CNN - Today

It's a great opportunity, Grace. Here are some of our talking points on ID, vote by mail, etc. If possible, replace the term "Voter ID" with "voter verification" or "voter validation."

- No voter should have to choose between their health and safety and exercising their constitutional right to vote.
- The pandemic is not over for older voters and voters with disabilities, who are still at high risk of serious illness from COVID. These voters rely on vote-by-mail to cast their ballots safely.
- Texas elections were run successfully for decades without the restrictions implemented by this new law.
- The changes of this new law are damaging to Texas voters' trust of our election system.

Calls to action:

- If our legislature really wants to secure and improve elections, they should invest in upgraded equipment, expanded staffing for election administrators, and training for poll workers. Not complicated and unnecessary restrictions on voting.
- [anything you can give about what voters can do is it checking VOTE411? Is it contacting LWVTX for help? Is it the election protection hotline (866-OUR-VOTE)?]

On reliability of vote-by-mail:

- Vote-by-mail does not favor one party over another.
- There is no record of massive or serious election manipulation via mail-in voting.
- Texas has systems in place to deter and detect irregularities or violations in the voting process, both by mail and in person.

And of course, having a pivot ready in case the anchor goes off topic.

What we are focused on is...[the effect on voters, etc.]

Kayla Vix (she/her)

Senior Communications Manager
League of Women Voters of the United States
1233 20th St NW, Suite 500, Washington, DC 20036
202-809-9668 | kvix@lwv.org
lwv.org | Facebook | Twitter



From: Grace Chimene <gchimene@lwvtexas.org> Sent: Tuesday, February 15, 2022 10:47 AM

To: Kayla Vix < KVix@lwv.org>

Cc: Shannon Augustus <saugustus@lwv.org>; Communications <Communications2@lwv.org>

Subject: Re: CNN - Today

I will be talking about the new application for a ballot by mail and ballot by mail requirement of voter ID number. The new law's impact on voters.

The new law' suppresses the vote of voters 65 and over and those with disabilities who vote by mail.

On Tue, Feb 15, 2022 at 9:06 AM Kayla Vix < KVix@lwv.org > wrote:

Hey Grace, what are they planning to discuss? Do you need any support to help prepare?

From: Grace Chimene <gchimene@lwvtexas.org>

Sent: Tuesday, February 15, 2022 9:34 AM **To:** Shannon Augustus < saugustus@lwv.org>

Cc: Kayla Vix <KVix@lwv.org>; Communications <Communications2@lwv.org>

Subject: Re: CNN - Today

Lordy, it is a TV interview. Not a debate. I will be on with a friend and LWV supporter Isabel Longoria Harrris County election administrator. She is a great communicator.

2:15 eastern.

On Tue, Feb 15, 2022 at 8:06 AM Shannon Augustus <saugustus@lwv.org> wrote:

Good morning Grace,

Sounds good!

Get Outlook for iOS

From: Grace Chimene <gchimene@lwvtexas.org> Sent: Tuesday, February 15, 2022 8:55:54 AM

To: Kayla Vix < KVix@lwv.org>; Communications < Communications2@lwv.org>

Subject: Fwd: CNN - Today

I might have sent this to the wrong LWVUS address. This is the same as I sent earlier.

----- Forwarded message -----

From: Goodman, David < david.c.goodman@warnermedia.com >

Date: Tue, Feb 15, 2022 at 5:50 AM

Subject: CNN - Today

 $To: \underline{gchimenelwv@gmail.com} < \underline{gchimenelwv@gmail.com} >, \underline{gchimene@gmail.com} < \underline{gchimene@gmail.com} >, \underline{gchimene@gmai$

grace@chimene.com <grace@chimene.com>

Hi Grace,

David at CNN here. Can you call me about a potential interview today to discuss voting? My number is below.

Best.

David Goodman CNN | Editorial Producer Twitter - @davidgoodmanTV Phone - (332) 213-6775

--

Grace Chimene (she/her)

President, League of Women Voters of Texas

gchimene@lwvtexas.org

LWVTexas.org & VOTE411.org

512-940-9948

Empowering Voters. Defending Democracy

--

Grace Chimene (she/her)

President, League of Women Voters of Texas

gchimene@lwvtexas.org

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512-940-9948

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LWVTexas.org & VOTE411.org

512-940-9948

Empowering Voters. Defending Democracy

From: Kira Lerner [klerner@statesnewsroom.com]

on behalf of Kira Lerner <klerner@statesnewsroom.com> [klerner@statesnewsroom.com]

Sent: 2/14/2022 10:30:25 AM

To: Grace Chimene [gchimene@lwvtexas.org]
Subject: Re: States Newsroom reporter request

Will do. I'm in DC so it'll be 10 am here, so not sure I can claim the morning person title, but I'll take it!

On Mon, Feb 14, 2022 at 9:40 AM Grace Chimene <gchimene@lwvtexas.org> wrote: A fellow morning person!
Call me at 512 940 9948

On Mon, Feb 14, 2022 at 9:34 AM Kira Lerner < klerner@statesnewsroom.com > wrote: How is tomorrow at 9 am central? Let me know the best number to reach you and I can give you a call then. Thanks so much!

On Mon, Feb 14, 2022 at 9:33 AM Grace Chimene <gchimene@lwvtexas.org> wrote: Tomorrow I'm available except from 2-3 and 5-6 cst.

Grace

On Mon, Feb 14, 2022 at 8:38 AM Kira Lerner < klerner@statesnewsroom.com > wrote: Great, do you have any time tomorrow or Wednesday? What number is best to reach you?

On Thu, Feb 10, 2022 at 5:42 PM Grace Chimene <gchimene@lwvtexas.org> wrote: Yes. I would be happy to chat with you.

On Thu, Feb 10, 2022 at 8:43 AM Kira Lerner < klerner@statesnewsroom.com > wrote: Hi Grace,

My name is Kira Lerner and I'm a democracy reporter for States Newsroom. I'm going to be in Texas later this month and on the primary day to cover voting rights issues and all of the fallout of SB1. I was hoping someone from the League of Women Voters would be available for a phone call to discuss what your plans are for voter outreach and advocacy around the midterm and if there are any events or actions I should know about for my reporting.

Please let me know as soon as you can. Also if you have a media listsery or something like that, please add me. Thanks so much!

Kira Lerner Democracy Reporter <u>States Newsroom</u> 301-633-1989

Grace Chimene (she/her)

President, League of Women Voters of Texas gchimene@lwvtexas.org

LWVTexas.org & VOTE411.org

512-940-9948

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LWVTexas.org & VOTE411.org
512-940-9948

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From: Shannon Augustus [saugustus@lwv.org] on behalf of Shannon Augustus <saugustus@lwv.org> [saugustus@lwv.org] 2/14/2022 12:03:56 PM Sent: To: LWV Texas - Grace Chimene [gchimene@lwvtexas.org] CC: Kayla Vix [KVix@lwv.org] Subject: RE: FW: PRESS REQUEST: Crooked Media Great! I'll connect you both in a separate email. Shannon (3) From: Grace Chimene <gchimene@lwvtexas.org> Sent: Monday, February 14, 2022 12:59 PM To: Shannon Augustus <saugustus@lwv.org> Cc: Kayla Vix <KVix@lwv.org> Subject: Re: FW: PRESS REQUEST: Crooked Media Yes, I would be happy to participate in a podcast On Mon, Feb 14, 2022 at 11:41 AM Shannon Augustus < saugustus@lwv.org > wrote: Good Morning Grace & Happy Monday! I wanted to reach out to you because we got this media request (see below) and I wanted to see if you would have any interest. If so, I'll connect you all to figure out the specifics. -Shannon 😉 From: Gideon Resnick < gideon@crooked.com> Sent: Monday, February 14, 2022 11:51 AM To: Media < media@lwv.org> Subject: PRESS REQUEST: Crooked Media Hi there! Hope all is well today. I'm a reporter and one of the hosts of the daily news podcast "What a Day" at Crooked Media and I was reaching out after reading this (https://apnews.com/article/greg-abbott-texas-houston-elections-voting-Odb5cca282ddf79205bf7d06d0cf1196) earlier today. Was interested in seeing if anyone from the organization could join to talk about how SB1 is impacting voting so far. Let me know when you get a chance and thanks so much for the time! Best,

Gideon Resnick



Gideon Resnick (he/him)

Host of "What a Day" | Crooked Media

phone: 513-680-1211 site: www.crooked.com email: gideon@crooked.com

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

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From: Kayla Vix [KVix@lwv.org]

on behalf of Kayla Vix < KVix@lwv.org > [KVix@lwv.org]

Sent: 2/15/2022 10:58:39 AM

To: LWV Texas - Grace Chimene [gchimene@lwvtexas.org]

CC: Media [media@lwv.org]

Subject: RE: Election Prep

Thanks for the update, Grace.

Kayla Vix (she/her)

Senior Communications Manager
League of Women Voters of the United States
1233 20th St NW, Suite 500, Washington, DC 20036
202-809-9668 | kvix@lwv.org
wv.org | Facebook | Twitter



From: Grace Chimene <gchimene@lwvtexas.org> Sent: Tuesday, February 15, 2022 11:42 AM

To: Kayla Vix <KVix@lwv.org> Subject: Fwd: Election Prep

I talked with her.

Grace

----- Forwarded message ------

From: Kate Riga < kate@talkingpointsmemo.com >

Date: Tue, Feb 15, 2022 at 9:35 AM

Subject: Election Prep

To: content@lwvtexas.org>

Hi Grace,

This is Kate Riga with Talking Points Memo — I hope you're doing well, and keeping your head above water in what must be a totally overwhelming time.

I wanted to see if you had a few minutes to talk about how the election prep is going in light of SB 1. You spoke to my colleague Matt a few weeks ago, and I'm doing a follow-up about how things have shaken out since them.

I'm aware that you must be incredibly busy, so I'd keep it short — just want to get on people's radar how this law is affecting the election processes as we get close to the primary.

If you have a free moment, I'm at 610 246 7031. Very much appreciate it.

Thanks again,

Kate Riga

--

Kate Riga Talking Points Memo (C) 610-246-7031

(O) 202-758-3048 ext. 232

--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

Empowering Voters. Defending Democracy

From: Beausoleil, Sophia (NBCUniversal) [Sophia.Beausoleil@nbcuni.com]

on behalf of Beausoleil, Sophia (NBCUniversal) <Sophia.Beausoleil@nbcuni.com> [Sophia.Beausoleil@nbcuni.com]

Sent: 9/7/2021 11:34:58 AM **To**: gchimene@lwvtexas.org

Subject: NBC DFW: Interview in regards to SB1

Hi Grace,

Thank you so much for giving me a call back.

I will send over the Zoom link for noon right now.

Thank you! -Sophia

Sophia Beausoleil

Reporter

NBC 5 | Dallas-Fort Worth

Cell: (817) 675-9799 | Newsroom: (817) 654-6314

Twitter: @SophiaNBC5

Facebook: Sophia Beausoleil NBC5

IG: @nbc5Sophia

NBCDFW.COM | NBCDFW | @nbcdfw



From:	Claudia Ortega Hogue [
on behalf of Sent:	Claudia Ortega Hogue <		
To:	Patricia Clarembaux [pclarembaux@univision.net]		
CC:	Annie Benifield [anniebenifield@lwvhouston.org]; Grace Chimene [gchimene@lwvtexas.org]; Pam Gaskin		
Subject:	Re: Request for interview with Univision		
Hola, Bueno	os Dias! Mi celular es Gracias!		
On Wed, Fe	b 23, 2022 at 7:12 AM Patricia Clarembaux <pre>pclarembaux@univision.net</pre> wrote:		
Hola! Perfec	cto! ¿A qué número puedo llamarte?		
	Patricia Clarembaux Sr. Multimedia Journalist		
Televisa Univision	TelevisaUnivision, Inc. Matther than the Inc. Matt		
	(713) 965-2743		
From: Cla	udia Ortega Hogue <		
	sday, February 22, 2022 at 6:26 PM		
	a Clarembaux <pre>clarembaux@univision.net> Benifield <anniebenifield@lwvhouston.org>, Grace Chimene <gchimene@lwvtexas.org>, Pam</gchimene@lwvtexas.org></anniebenifield@lwvhouston.org></pre>		
Gaskin <	> State Chimiene againment (a) www.cas.org , Tuni		
Subject: R	e: Request for interview with Univision		
	originated from outside of Univision. Do not click links or open attachments unless you the sender and know the content is safe.		
reegmee	and the second that the content is successful.		
Hola! Ntp q	ue te parece 12:30pm?:)		
On Tue, Feb	o 22, 2022 at 5:47 PM Patricia Clarembaux < pclarembaux@univision.net > wrote:		
Hola Claud	dia,		
	acias por tu respuesta. ¿Crees que podamos hablar antes de la 1:00pm? Creo que no serían más de 15 vísame. Si no puedes, lo hacemos a la 1:00pm.		
Saludos,			
Patricia	Patricia		

Patricia Clarembaux | Sr. Multimedia Journalist TelevisaUnivision, Inc. | A http://televisaunivision.com 5100 Southwest Freeway, Houston, TX, 77056 From: Claudia Ortega Hogue < Date: Tuesday, February 22, 2022 at 5:18 PM To: Patricia Clarembaux <pclarembaux@UNIVISION.NET>, 'Annie Benifield' <anniebenifield@lwvhouston.org>, 'Grace Chimene' <gchimene@lwvtexas.org> Cc: 'Pam Gaskin' Subject: RE: Request for interview with Univision This email originated from outside of Univision. Do not click links or open attachments unless you recognize the sender and know the content is safe. Thank you, Grace, Annie and Patricia for the opportunity and thinking of me! I am available tomorrow around 1pm? Would that work? I have a couple of meetings in the morning. Hi Patricia – I will be happy to coordinate times with you, my cell number is feel free to call/text. Mil Gracias! -Claudia Claudia Ortega Hogue \ League of Women Voters of Houston Vice President of Strategic Partnerships Mobile: ClaudiaOrtegaHogue@lwvhouston.org www.LWVHouston.org @LWVHouston

Empowering Voters.

Defending Democracy.





Fellow, American Leadership Forum, Class LIV

Joining and strengthening diverse leaders to serve the common good.

From:	Patricia	Clarembaux	<nclaremh< th=""><th>aux@I</th><th>NIVIS</th><th>ION NET></th></nclaremh<>	aux@I	NIVIS	ION NET>

Sent: Tuesday, February 22, 2022 4:49 PM

To: Annie Benifield <anniebenifield@lwvhouston.org>; Grace Chimene <gchimene@lwvtexas.org>

Cc: Claudia E. Ortega-Hogue

Subject: Re: Request for interview with Univision

Hi Annie! Thanks fin advance or your help. I'm planning to publish tomorrow COB or on Thursday. I'll be waiting for your responses on the interviews with Mrs. Gaskin and Mrs. Ortega. They could be by phone and anytime today or tomorrow.

Best,

Patricia

Patricia Clarembaux | Sr. Multimedia Journalist

TelevisaUnivision, Inc. | A http://televisaunivision.com

Televisa Univision

5100 Southwest Freeway, Houston, TX, 77056

(713) 965-2743

From: Annie Benifield <anniebenifield@lwvhouston.org>

Date: Tuesday, February 22, 2022 at 4:42 PM **To:** Grace Chimene schimene@lwvtexas.org

Cc: Claudia E. Ortega-Hogue , Pam Gaskin <

Clarembaux <pclarembaux@univision.net>

Subject: Re: Request for interview with Univision

You don't often get email from anniebenifield@lwvhouston.org. Learn why this is important

This email originated from outside of Univision. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Happy to help! Annie

On Tue, Feb 22, 2022 at 4:25 PM Grace Chimene <gchimene@lwvtexas.org> wrote:

Annie,

I chatted with Patricia Clarembaux with Univision digital. She would love to chat with Claudia Ortega Hogue to get a Latina's view of the vote by mail situation.

Patricia would also like to chat with Pam Gaskin to speak with a person who experienced the Vote by Mail Voter ID issues first hand.

Thank you so much for helping.

Grace

--

Grace Chimene (she/her)

President, League of Women Voters of Texas

gchimene@lwvtexas.org

LWVTexas.org & VOTE411.org

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l	Dr. Annie Johnson Benifield, President
	League of Women Voters of Houston P O Box 270269 Houston, Texas 77277-0269
	anniebenifield@lwvhouston.org www.lwvhouston.org
	Empowering Voters.
	Defending Democracy.
	Claudia Ortega Hogue
	Cell: Email: Cellimail: Cellimail
	Fellow, American Leadership Forum, Class LIV www.alfhouston.org Joining and strengthening diverse leaders to serve the common good.
	Claudia Ortega Hogue Cell:
E	Smail: Command
	Tellow, American Leadership Forum, Class LIV vww.alfhouston.org Joining and strengthening diverse leaders to serve the common good.
V	www.annouston.org Johnnig and strengthening diverse readers to serve the common good.

OCA-APPX-1902

From: Aaron Mendelson [amendelson@publicintegrity.org]

Sent: 6/28/2022 4:13:02 PM

To: president@lwvtexas.org; amcmurrer@lwvtexas.org

Subject: Interview Request

Good afternoon,

I'm a reporter with The Center For Public Integrity, a non-profit news outlet. I'm doing a story on the paper supply chain issues, and the problems that poses for ballots, voter registration and so on.

I read about this affected the LWV's voter registration work with newly naturalized citizens <u>here</u>. I was also hoping to hear about the impacts of SB 1, I see that the League has issued several statements about those impacts.

I was hoping to interview someone with the organization, who do you recommend I talk to? The interview would be over the phone or Zoom, and 30-45 minutes. I'd like to talk this week.

Let me know if you have any questions for me.

__

Aaron Mendelson Reporter, The Center for Public Integrity 202-481-1247 amendelson@publicintegrity.org @a_mendelson From: Joyce LeBombard [jlebombard@lwvtexas.org]

Sent: 7/1/2022 2:21:34 PM

To: Aaron Mendelson [amendelson@publicintegrity.org]
CC: Aileen McMurrer [amcmurrer@lwvtexas.org]

Subject: Re: Interview Request

Tues, 7/5, 3pm CT works best for me. Yes, is the best number also. Looking forward to speaking with you. Have a wonderful and safe July 4th weekend.

Joyce LeBombard (she/her)

President, League of Women Voters of Texas

ilebombard@lwvtexas.org

Schedule a meeting with me: https://calendly.com/joycelebombard

LWVTexas.org & VOTE411.org

Empowering voters. Defending democracy.

On Fri, Jul 1, 2022 at 2:01 PM Aaron Mendelson < AMendelson@publicintegrity.org > wrote:

Great, glad to hear it. Does Noon or 3 PM Central work for you?

And is the 4090 number the best one to reach you at?

Aaron Mendelson

Reporter, The Center for Public Integrity

202-481-1247

amendelson@publicintegrity.org

@a mendelson

From: Joyce LeBombard < jlebombard@lwvtexas.org>

Date: Friday, July 1, 2022 at 11:29 AM

To: Aaron Mendelson < AMendelson@publicintegrity.org >

Cc: Aileen McMurrer <amcmurrer@lwvtexas.org>

Subject: Re: Interview Request

Hi Aaron,

LWVUS and our SB1 litigation team did get back to me. I am available pretty much all day on Tuesday, July 5th if that is not too late. Let me know what time works best for you.

Joyce LeBombard (she/her)

President, League of Women Voters of Texas

jlebombard@lwvtexas.org |

Schedule a meeting with me: https://calendly.com/joycelebombard

LWVTexas.org & VOTE411.org

Empowering voters. Defending democracy.

On Fri, Jul 1, 2022 at 12:47 PM Aaron Mendelson < <u>AMendelson@publicintegrity.org</u>> wrote:

Checking back on this — hoping to interview someone at the LWV in Texas next week, it would be very helpful to have your on-the-ground voice in the piece. Let me know if there's an update.

--

Aaron Mendelson

Reporter, The Center for Public Integrity

202-481-1247

amendelson@publicintegrity.org

@a_mendelson

From: Aaron Mendelson < AMendelson@publicintegrity.org >

Date: Wednesday, June 29, 2022 at 11:22 AM **To:** Joyce LeBombard < ilebombard@lwvtexas.org>

Cc: amcmurrer@lwvtexas.org <amcmurrer@lwvtexas.org>, president@lwvtexas.org

subject: Re: Interview Request

Gotcha, thanks for the update. I'll check back with you in a couple days if I haven't heard back.

And if it facilitates things with the national folks, I spoke with the President of the Georgia LWV earlier this month.

--

Aaron Mendelson

Reporter, The Center for Public Integrity

202-481-1247

amendelson@publicintegrity.org

@a mendelson

From: Joyce LeBombard < jlebombard@lwvtexas.org>

Date: Wednesday, June 29, 2022 at 11:08 AM

To: Aaron Mendelson < AMendelson@publicintegrity.org >

Cc: amcmurrer@lwvtexas.org <amcmurrer@lwvtexas.org>, president@lwvtexas.org

Subject: Re: Interview Request

Hi Aaron,

Since you are national media, I have passed your request to our national organization to either respond to or to allow me to respond. I have not heard back from them yet.

-Joyce

On Wed, Jun 29, 2022 at 11:51 AM Aaron Mendelson AMendelson@publicintegrity.org wrote:

Wanted to check back on the interview request and make sure it didn't get lost in the shuffle yesterday afternoon. Let me know if you have any Qs for me, happy to answer them.

Aaron

202.481.1247

From: Aaron Mendelson < AMendelson@publicintegrity.org >

Date: Tuesday, June 28, 2022 at 2:13 PM

To: president@lwvtexas.org president@lwvtexas.org>, amcmurrer@lwvtexas.org

<amcmurrer@lwvtexas.org>
Subject: Interview Request

Good afternoon,

I'm a reporter with The Center For Public Integrity, a non-profit news outlet. I'm doing a story on the paper supply chain issues, and the problems that poses for ballots, voter registration and so on.

I read about this affected the LWV's voter registration work with newly naturalized citizens here. I was also hoping to hear about the impacts of SB 1, I see that the League has issued several statements about those impacts.

I was hoping to interview someone with the organization, who do you recommend I talk to? The interview would be over the phone or Zoom, and 30-45 minutes. I'd like to talk this week.

Let me know if you have any questions for me.

--

Aaron Mendelson

Reporter, The Center for Public Integrity

202-481-1247

amendelson@publicintegrity.org

@a mendelson

Joyce LeBombard (she/her)

President, League of Women Voters of Texas

jlebombard@lwvtexas.org | (c)

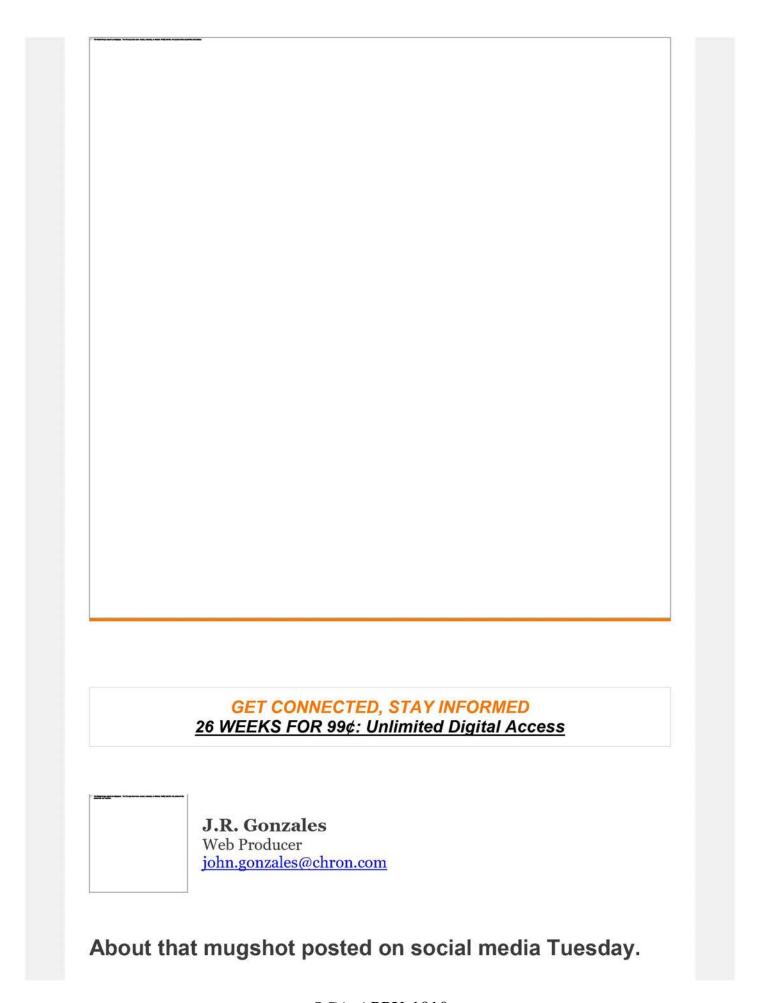
Schedule a meeting with me: https://calendly.com/joycelebombard

LWVTexas.org & VOTE411.org

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Exhibit 127

Dorothy Marchand [dmarchand@lwvtexas.org] From: on behalf of Dorothy Marchand <dmarchand@lwvtexas.org> [dmarchand@lwvtexas.org] Sent: 1/19/2022 7:48:33 AM Grace Chimene [gchimene@lwvtexas.org] To: CC: Aileen McMurrer [amcmurrer@lwvtexas.org]; Yvonne Wade Sanchez [ysanchez@lwvtexas.org]; Ginny Whited [ginny.whited@gmail.com] Subject: Re: The scramble is on to address mail ballot application problems as a deadline looms | Morning Report And your full editorial is in the paper! Vice President, Voter Education Empowering voters. Defending democracy. On Jan 19, 2022, at 5:33 AM, Grace Chimene < gchimene@lwvtexas.org> wrote: ----- Forwarded message -----From: Houston Chronicle <newsletters@mailer.houstonchronicle.com> Date: Wed, Jan 19, 2022 at 6:11 AM Subject: The scramble is on to address mail ballot application problems as a deadline looms | Morning Report To: <gchimene@lwvtexas.org> View in browser



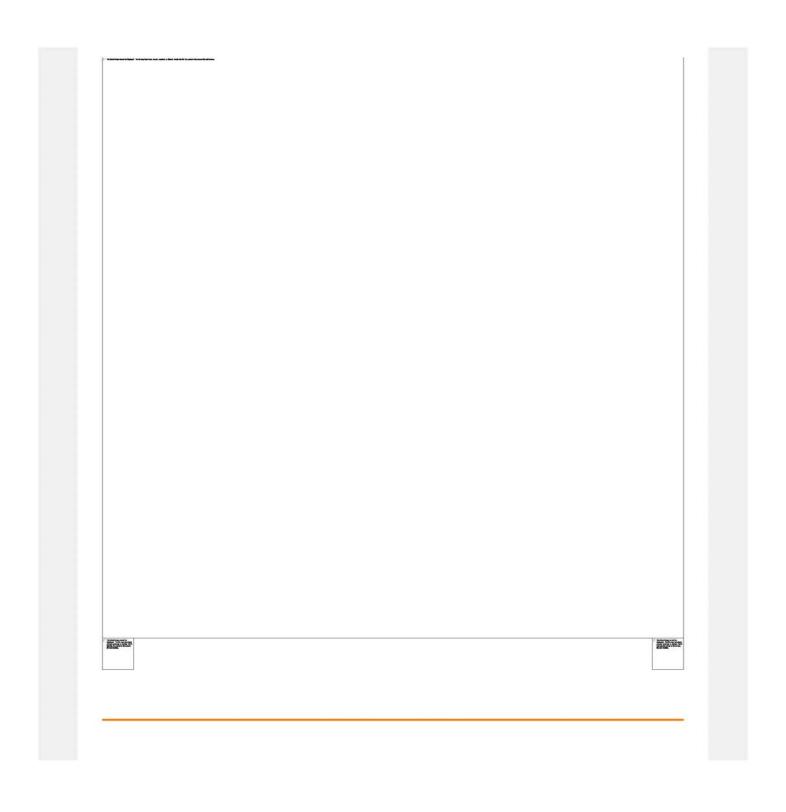
If you follow any of the local law enforcement entities on social media, you'll see that from time to time they will post mugshots of suspects accused of a range of crimes.

Well, there was one mugshot posted on social media yesterday by Harris County Precinct 4 Constable Mark Herman's office that looked a little, well, different. The photo appears to show one officer forcibly holding a woman's head up while another holds her in place. The woman was arrested for allegedly failing to identify herself to a police officer.

The reaction on Facebook was supportive of police. However, a cofounder of Black Lives Matter Houston said the image shouldn't have been posted. What do you think?

Breaking overnight: Ron Franklin, the former Houston sportscaster who was the radio voice of the Oilers and went on to national fame at ESPN, <u>has died at the age of 79</u>. Also, André Leon Talley, the former Vogue magazine editor and fashion icon, <u>died Tuesday at age 73 of complications related to COVID.</u>

That streak of nice weather we've been having is about to end. Expect some thunderstorms as a cold front moves into the area late in the afternoon. <u>Highs will be in the mid 70s</u>, but expect a significant drop as the workweek continues.





A new law passed by the Legislature last year added requirements for voters to include a driver's license number or partial Social Security number when applying for a mail ballot. But, as <u>Taylor Goldenstein</u> writes, <u>confusion has erupted</u> as voters aren't sure about what information

to include with their applications, and counties have not yet received training from the state on how to use the online system to fix them.

Meanwhile, <u>erroneous applications are pouring in</u>. In Travis County, over 25 percent of them are insufficient. Some are using old applications.

"Legislators were warned that this would happen, that voters would be confused, that this would create havoc among our voters," said Grace Chimene, president of the League of Women Voters of Texas, referring to testimony groups like hers gave during the legislative session.

To make matters worse, both voters and election officials are on the clock, too. There is less than a month left for voters to request mail ballots ahead of the Feb. 18 deadline for the March 1 primaries.

Sen. Paul Bettencourt, R-Houston, who helped write the legislation, expects the issue will be worked out.

"While patience is not at a maximum supply in this type of frothy, national environment on these issues, new election procedures will have some period of time for everyone to get used to," he said. "But we're still early enough to where all this is still curable."

Five other stories to read today

Morale, pay and politics: Texas Gls question the border mission. Soldiers sent to the border by Gov. Abbott are angry, and not only because they lack

are angry, and not only because they lack portable toilets. They gripe about operational changes, missed pay and the mission's fading purpose that has no defined end. "Morale is lower and keeps getting lower," one specialist says.

Tomlinson: Time to break COVID habits in 2022. The economic indicators and COVID data are confusing, but that means we need new strategies for 2022, writes Chris Tomlinson.
Permian earthquakes should jolt Texas officials into action. [Editorial]
Texas' unending quest for cheap energy has helped turn our state's once-benign subterranean geology into a potential powder keg, writes the Editorial Board.
Kyler Edwards stays hot as No. 10 UH rolls past South Florida.
He kept up his recent hot streak as UH beat South Florida for its best start in conference play in 38 years.

This HMNS teen program teaches hands-on skills.

Applications are now being accepted at the Houston Museum of Natural Science for this summer's Moran Ecoteen volunteer program.

One last thing ...

This week, we're taking a look at the front pages of the Houston Post. One of the big stories on this front page from 1952 was a tragic story out of Cypress about a child killed while playing on a swing set.

Those old playgrounds could be dangerous, you know. I remember seeing a kid's head caught between the monkey bars when I was in elementary school.

In other news, road rage isn't exactly a new thing, judging by this fight that broke out on Pease.

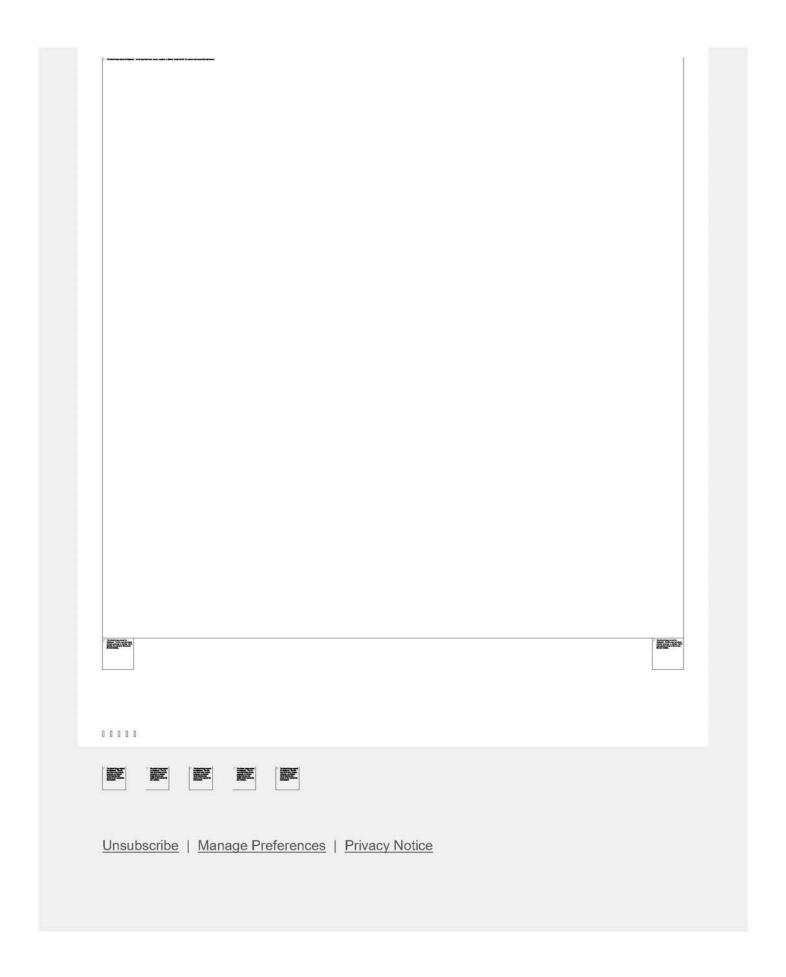
- J.R., who wonders how he survived those playgrounds of yesteryear

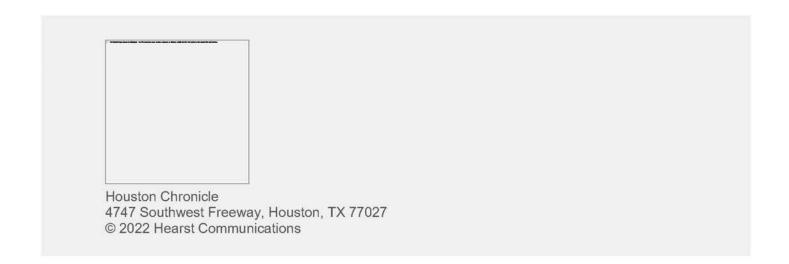
More newsletters

The ultimate source for a Houston superfan

Our Texas Sports Nation newsletter catches you up on everything happening in Houston sports, from the Astros, Texans and Rockets to college and high school sports, too.

SIGN UP			





--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

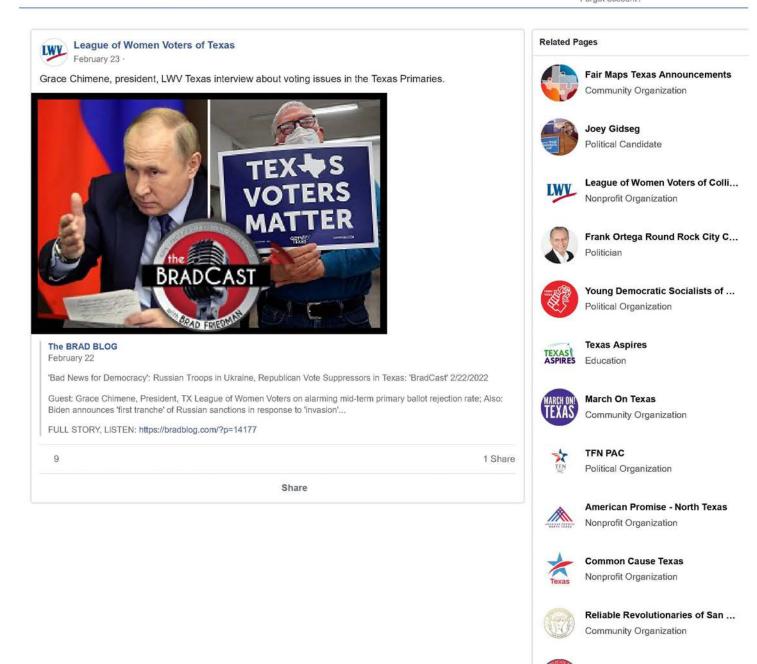
Empowering Voters. Defending Democracy

Sign Up

Email or phone Password

Log In

Forgot account?



See more of League of Women Voters of Texas on Facebook

Log In

or

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Republican Party of Texas Political Organization

League of Women Voters Denton...

Pages Liked by This Page

LWV	Today at 10:41 A	
Tomo	orrow is the last da	y to register to
vote for	the May 7th electi	o See more
1		2 Shares
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LWY	League of Wome Today at 5:57 AM	n Voters of Texas
	sday, April 7th is th	
register	to vote for the upo	co See more
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LWY	League of Wome April 4 at 5:22 AM	n Voters of Texas
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is arguir	ng that private S	See more
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English (U	S) · Español ·	
Português	(Brasil) · Français	s (France)
Deutsch		

See more of League of Women Voters of Texas on Facebook

Log In Or Create new account















I will vote in every election to stand up for what matters most to me, my family, and my community!





League of Women Voters of Texas

@LWVTexas · 4.8 51 reviews · Nonprofit organization

Learn more

lwvtexas.kindful.com

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League of Women Voters of Texas

April 7 · 🔞

"One in eight vote by mail ballots were not counted in the primary election. This is the direct result of the anti-voter bill SB1 pushed through the Texas legislature and signed by the governor. It is appalling that our legislators choose to avoid their responsibility to voters by not examining this high Vote By Mail rejection rate in the interim charges."

Grace Chimene president LWV Texas.

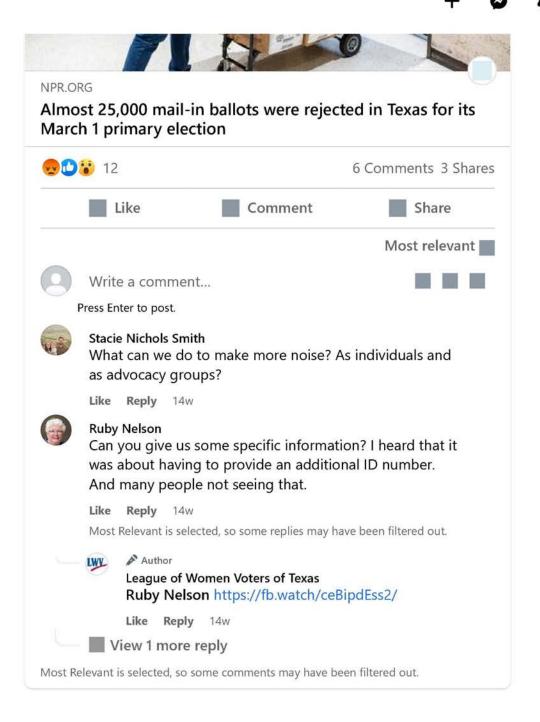


https://www.facebook.com/LWVTexas/posts/pfbid02o3paCL54c1zb1UZ276E5QUijE5G4aRZSzL5HdLNUjouk38tg9CzXDASpyvLDjJW9I

1/6







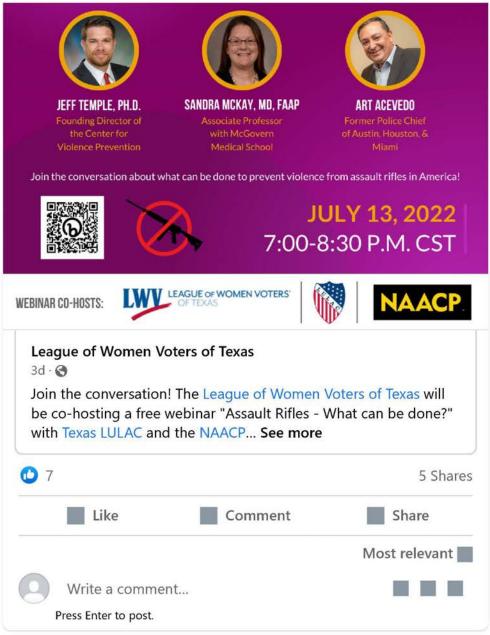
Other posts







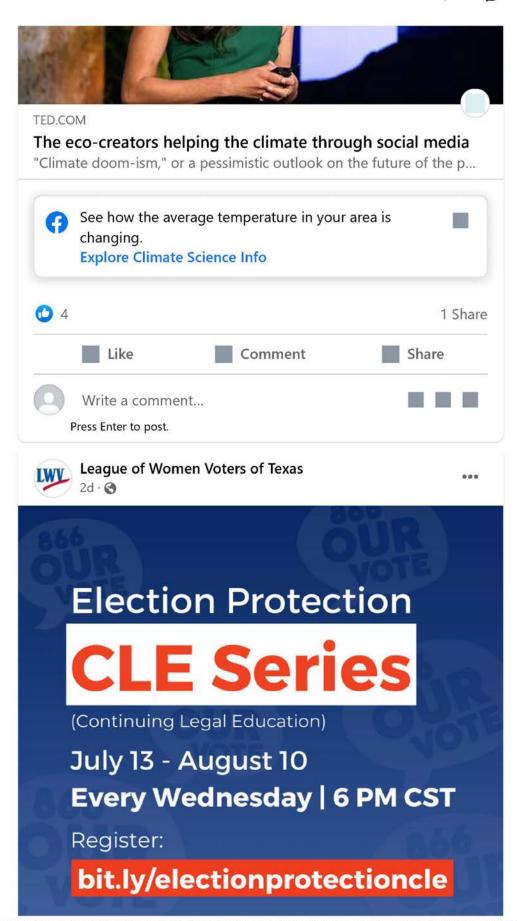








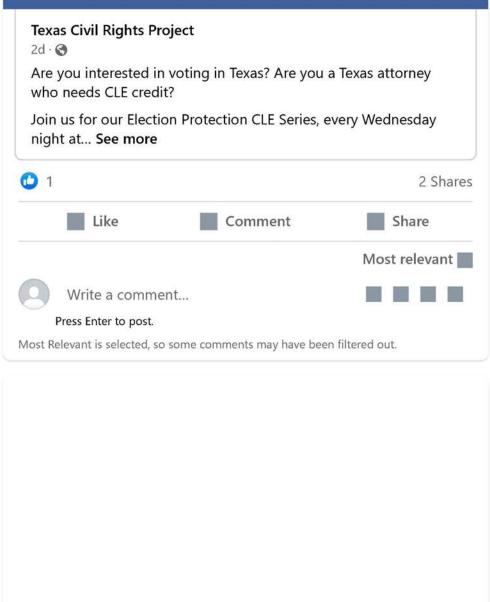






















News / Articles

Texas' New Voting Laws Could Prove Hell this November

Jessica Lenamond, Austin Monthly Magazine | Published on 6/25/2022

Voting in Texas has never been easy.

Prior the 2020 presidential election, political scientists from the likes of Northern Illinois University and Wuhan University in China compiled a "cost-of-voting index" that ranked states by the ease in which residents could both register and cast their ballot. The analysis placed Texas dead last, citing the state's tough voter identification laws, unforgiving registration deadlines, and general "restrictive electoral climate," all of which made it the hardest state to vote in in the entire country.

And, of course, that was before Texas' most recent election law overhaul even went into effect.

Despite persistent warnings from civil and voting rights advocates, the state's Republican-controlled legislature passed the sweeping and far-reaching Senate Bill 1 into law in September 2021. Among other things, the law banned drive-thru and overnight voting, further tightened ID requirements, and allowed partisan poll watchers new freedoms. Additionally, assistants who work with Texans that need help filling out their ballots can now face criminal charges. This type of assistance is most frequently used by voters with disabilities or physical needs, but non-English speaking voters and those who struggle to read and write are also entitled to aid in the state.

Political standing aside, interpretations of the new law shared in a base-level understanding: It was going to get even harder to earn an "I voted" sticker. According to Texas Republicans, the shift was necessary, as the GOP beefs up election integrity protections, citing murky and still unproven reports of rampant voter fraud. For local grassroots voting organizations, however, the focus remains on those who have taken the most direct hit under the new regulations—everyday Texans trying to make sure their vote gets counted.

"All Texas voters are impacted, but especially voters of color, low-income voters, young voters, older voters, and voters with a disability," says Grace Chimene, president for the <u>League of Women Voters of Texas</u>, a nonpartisan nonprofit that works to educate voters on election issues. Chimene says the law spurred an immediate change, pointing to the March primary election, when 25,000 voters had their vote-by-mail ballots rejected, more than 1,800 from Austin-area counties alone. Those voters were mostly 65 and older, or voters with a disability.

Chimene also says not enough is being done to brief voters on the new requirements or properly prepare them for a successful visit to the polls. In response, the League is taking voter education into their own hands by providing extensive online voter guides and SB 1 explainers. "We're working with the Center for Civic Design to create more resources provided in simple, plain language," Chimene says of the group's efforts.

Those materials have set a new standard and are often utilized by fellow nonprofit organizations like REV UP Texas, which works with Texans with disabilities to ensure they're well represented within the voting body. Bob Kafka, the group's statewide coordinator, echoes concerns that Texas' disabled community is acutely impacted by the new voting legislation, which is breeding further distrust between them and local government. Although it would later be written out, an earlier version of the election bill included even more voting barriers for Texans with disabilities. "They were going to require the person to prove that they had a disability," Kafka recalls. "It was so blatantly discriminatory; it would almost be like a poll tax. I use a motorized wheelchair, and I would have had to go to a doctor to somehow prove that I have a disability even though I've been in this wheelchair for almost 50 years."

Bob Kafka is working with disabled Texans to ensure they're not impacted by the new voting laws.

The irony that Gov. Greg Abbott, a well-known member of the state's disabled community, has continued to champion the new voting law isn't lost on Kafka. "My disability and spinal cord injury is similar to Gov. Abbott's. You would think, you know, as a person with a disability, there would be some identity there."

On top of ongoing efforts to educate voters on their rights and available aid, REV UP Texas will host its third Texas Disability Issues Forum in Austin this September ahead of the November election. The event includes voter registration drives and allows high-profile candidates running for office in the state an opportunity to speak on how their platforms relate to disability issues. While Democratic gubernatorial candidate Beto O'Rourke has indicated his plans to attend, Kafka says the group has yet to hear back from Abbott's office.

Kafka's main advice to voters who are confused about new voting requirements or who have had their mail-in ballots rejected is to reach out. Whether that be to REV UP, the League of Women Voters, or to your county's election office, he repeats the importance of not being deterred by the first hurdle.

"Let someone know," he says. "The squeaky wheel gets the grease."

The Cutthroat Vote

SB 1's ramifications on Texas elections and the rest of the country.

- 702, 257: Texans that lacked either a driver's license or Social Security number on file, as of Dec. 2021.
- 8.2%: The rate at which mail-in ballots in Travis County were rejected during March's primary election.
- 12.4%: The rate at which mail-in ballots in Texas were rejected during March's primary election.
- 1%: Comparatively, the rate at which mail-in ballots were rejected during the 2020 presidential election.
- 27: Other states considering similar legislation, according to the Brennan Center for Justice.

Reac	more
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Return to Previous Page

Exhibit 128

Empowering Voters. Defending Democracy

Tips for Voters New Election Laws 2022 TSEU (Texas State Employee Union)



2022 Primary Election - Key Dates



VOTE 411

- Last day to register to vote or change address
 January 31
- First day to vote early in person February 14
- Last day to apply for vote-by-mail ballot February 18
- Last day to vote early in person February 25
- Election Day and vote-by-mail ballot receipt deadline
 March 1

VOTE411.org LW

LWVTexas.org



NEW! Vote by Mail (VBM)

Who else qualifies?

Voters expecting to give birth within three weeks before or after election day

Sec 82.02 (HB 3920)





NEW! Soliciting Vote by Mail

"Public officials/election officials" Can NOT:

- Solicit or distribute a VBM app from a person who did not request an application
- Complete any portion of a VBM app and distribute the application to an applicant.
- Authorize or approve the expenditure of public funds to facilitate thirdparty distribution of a VBM app to a person who did not request the application
- example: Counties can not provide applications to organizations.

Sec. 84.001(SB1)

LWV TIP: Organizations can order from the Secretary of State's office or print VBM applications to share with voters.



NEW! Soliciting Vote by Mail

"Public officials/election officials" Can

- Provide the application on a website;
- Complete portions of a VBM app for a voter if they are "lawfully assisting" the voter
- Provide general information about VBM, the VBM process, or the timelines associated w/voting
- Engage in the above prohibited conduct while "acting in the official's capacity as a candidate for a public elective office"

Sec. 84.001(SB1)



NEW! Finding an Application

- Each voter must request a VBM application from your county election office
- Print an application from your county website, VoteTexas.gov, LWVTexas.org VOTE411.org or other
- Find applications at libraries, post offices, etc?
 Sec. 84.001(SB1)

LWV Tip: Candidates and parties may send voters a partially filled out application



NEW! Provide Your Voter ID on the Application

- The Voter ID number used on your VBM application, and VBM carrier envelope.
 must be associated with your voter registration application!
- Voter ID numbers (TXDL, Personal ID, EIC Number AND the last four digits of SSN) on your VBM application and VBM ballot carrier envelope 84.002 (SB1) Sec. 84.002 (SB1)

Texas Driver's License, Texas Personal Identification Number or Election Identification Certificate Number issued by the Department of Public Safety (NOT your voter registration VUID#)

If you do not have a Texas Driver's License, Texas Personal Identification Number or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number

☐ I have not been issued a Texas Driver's License/Texas Personal Identification Number/Texas Election Identification Certificate or Social Security Number

Application for a Ballot by Mail

LWV Tip: You can use an expired ID card if it is "otherwise valid"

LWV Tip: Provide both your ID AND the last four digits of your social security number.

OCA-APPX-1938



NEW!

Vote by Mail Cure Process

LWV TIP: Provide contact information on your ballot by mail application and ballot Carrier Envelope so the county may contact you if you need to fix an error.

LWV Tip: Don't wait! Turn in your application and ballot in early!!

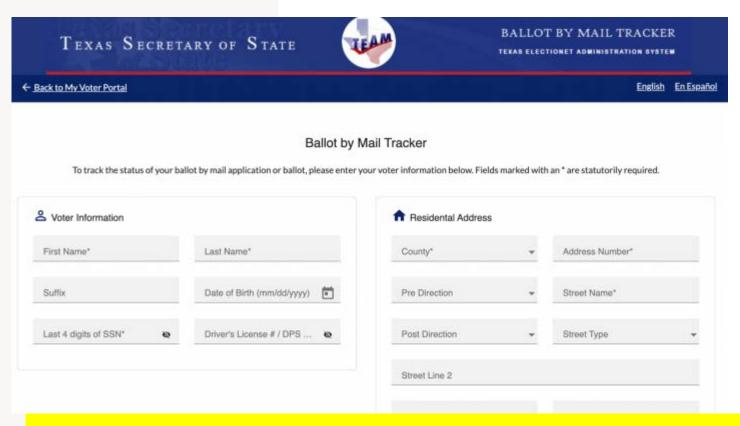
Voter Information: Please p Name:	rint all information cle	arly and legibly			Application for Ballot by Mail
Last,	First,		Middle	Suffix (Jr.,	Sr.)
Residence Address as shown on you	ur Voter Registration Ce	rtificate			
Address:					
Street	Apt. # (if any) City	State	Zip Co	de
Optional Information: Providing this	information is helpful t	o the Early Voting C	lerk, but not required.		
Date of Birth://	VUID#:		Pct #:		
Email:		Tei	l. #:		
	Carrier Env	velope for Ba	llot by Mail		
EQUIRED INFORMATION: OU MUST PRO	VIDE ONE OF THE FOLLOW	ING NUMBERS AND IT	MUST BE ASSOCIATED WITH YO	OUR VOTER RE	EGISTRATION RECORD
Texas Driver's License or Texas Personal Identification Certificate Number issued by of Public Safety (NOT your Voter Registratic icencia de conducir de Texas o Número de Certificado de Identificatión Electoral expedic de Seguridad Pública de Texas) (NO ES el Electoral VUID#)	the Texas Department on VUID #) (Número de dentificación Personal o la por el Departamento	or a Texas Election Identi of your Social Security Nr. Número de Identificación expedida por el Departan los 4 últimos digitos de nú	is Driver's License or Personal Identificification Certificate Number, give the umber (Si no tiene licencia de conduce n Personal o Certificado de Identificacionento de Seguridad Pública de Texas, primero de Seguro Social)	last 4 digits or de Texas o ón Electoral	I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Certificate or a Social Security Number (No me han expedido una licencia de conducir de Texas o Nümero de Identificación Personal o Certificado de Identificación Electoral expedida por el Departamento de Seguridad Pública de Texas ni un número de Seguro Social
PTIONAL CONTACT INFORMTION: Phone:		Email:			



NEW! Vote by Mail

Ballot by Mail Tracker

Track your VBM application and VBM ballot throughout the election process at VoteTexas.gov. Allows voters to fix some issues with voter ID numbers.





LWV Tip: Not working in all counties.

LWV Tip: Issues with Anthony your address.

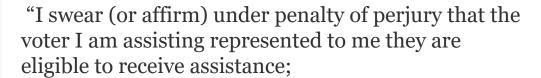
NEW! Assisting Voters

Persons who assist voters
with a VBM application,
VBM ballot, or in-person
ballot must provide their
relationship to the voter and
address, and for the VBM
ballot sign an oath, and
mark that they didn't receive
compensation.

Sec. 84.011(SB1

 Persons who drive 7 or more voters who qualify for curbside voting must sign a form

Sec.64.009 (SB1)



I will not suggest, by word, sign, or gesture, how the voter should vote;

I will confine my assistance to reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot;

I will prepare the voter's ballot as the voter directs;

I did not pressure or coerce the voter into choosing me to provide assistance;

I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs;

OCA-APPX-1941

I will not communicate information about how the



NEW! Assistors Oath & Compensation

to receive assistance; I will not suggest, by word, sign, or ges ballot to the voter, directing the voter to read the ballot, mark the voter's ballot as the voter directs; I did not pressure or or employer, an agent of the voter's employer, or an officer or information about how the voter has voted to another person for assistance, the voter's ballot may not be counted." Juram perjurio que el votante al que estoy asistiendo me representó como debe votar el votante; limitaré mi asistencia a leer la bole votante o dirigiendo al votante; limitaré mi asistencia a leer la bole votante para que me eligiera como asistente; no soy el empi de un sindicato al cual el votante pertenece; no comunicaré in se proporciona asistencia a un votante que no es elegible para if you are an assistant, provide information below: (Si usted es Did you receive compensation or other benefit from a assistance? Circle one: Yes No	alty of perjury that the voter I am assisting represented to me they are eligible ture; how the voter should vote; I will confine my assistance to reading the ing the voter's ballot, or directing the voter to mark the ballot; I will prepare erce the voter into choosing me to provide assistance; I am not the voter's agent of a labor union to which the voter belongs; I will not communicate; and I understand that if assistance is provided to a voter who is not eligible ento de la Persona Asistiendo al Votante: "Yo juro (o afirmo) bajo pena de que es elegible para recibir asistencia; no sugeriré, con palabra, señal, o gesto, ta al votante, dirigiendo al votante a que lea la boleta, marcando la boleta del viré la boleta del votante según lo indique el votante, o un oficial o agente formación sobre cómo el votante ha votado a otra persona; y entiendo que si recibir asistencia, la boleta del votante podría no ser contada." un asistente o testigo, marque la casilla correcta y proporcione su información): candidate, campaign or polítical committee in exchange for providing to, campaña o comité político a cambio de brindar asistencia?	Completed by Early Voting Cler Name of Election (Nombre del v Name of Voter (Nombre del v Date of Election (Fecha de Ele Instructions to Witness: You are se of voter). You must complete the se cannot make a mark. If the voter ca (Instrucciones al Testigo: Usted dest (nombre del votante). Usted debe l	ección):
Printed Name (Nombre en letra de molde)	Signature (Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)
Relationship to Voter (relacion al votate)	Street Address (Domicilio residencial)	Street Address (Domicilio residencial)	Frinced Marine (Normbre en ledra de moide)



•Sec.86.0105 (SB1)



NEW! Poll Watchers

- Required to take training
- Sign an oath
- Have fewer restrictions on movement and observation.

Sec. 33.051 (SB1)

"I swear (or affirm) that I will not disrupt the voting process or harass voters in the discharge of my duties."



How You Can Help!

Share trusted resources

- Print Vote by Mail handout 2022
- Video <u>Susan SharesTips for Filling out the application to Vote by Mail</u>
- Video <u>Susan SharesTips for Voting by Mail</u>
- Video How to Vote by Mail Texas Style
- Video How to Track your Ballot by Mail
- Video How to Submit Your Ballot by Mail.

Volunteer for Election Protection.

- NAACP LDF is providing training for folks who live in East Texas https://secure.everyaction.com/urmz7w_ZYUyrhRyZOe1Ruw2
- Common Cause is offering training for Texas Election protection volunteers https://www.mobilize.us/protect-the-vote/event/436853/?utm_source=lwvtx



Websites

- <u>LWVTexas.org</u>
 <u>VOTE411.org</u>,
- Election Protection
 https://866ourvote.org
 866-687-8683
- Texas Secretary of State
 <u>VoteTexas.gov</u> (800) 252 VOTE







WHAT IS ON YOUR BALLOT? VOTE411.ORG

VOTERS GUIDE - BY THE LEAGUE OF WOMEN VOTERS EDUCATION FUND



NEW!

Update your Voter Registration Online

If you moved or changed your name, update your voter registration online at texas.gov or votetexas.gov

Sec.15.021(SB1)



Texas Office of the Secretary of State

Voter Name and Address Changes

Welcome

This free service is offered to registered Texas voters who need to submit Name and/or Address changes.

You may use this service to update your Texas voter registration information. Allowable updates include changes to your current residential address and/or your changes to your name.

NOTE:

If you update your county of residence to a new county, your voter registration in your current county will be cancelled. Your voter registration information will be updated to the corresponding county of your new residential address.



https://www.texas.gov/living-in-texas/texas-voter-registration/#update-voter-name-or-address

Login Information		
1 Texas Driver License or Identification Number		Required. (8 to 10 digits)
Date of Birth		Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number		Required.
2 DPS Audit Number		Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)		Required. (10 digits)
County Name	Select County	Required.

I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.



Drivers License Number





https://www.texas.gov/living-in-texas/texas-voter-registration/#update-voter-name-or-address

Login Information		
1 Texas Driver License or Identification Number		Required. (8 to 10 digits)
Date of Birth		Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number		Required.
2 DPS Audit Number		Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)		Required. (10 digits)
County Name	Select County ~	Required.

I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.



DPS Audit Number





Voter Unique Identifier (VUID)

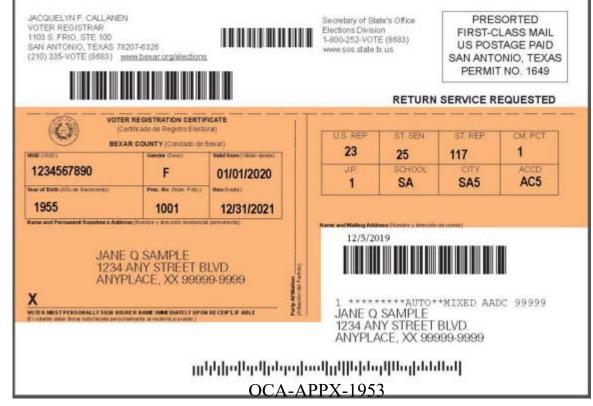
Login Information		
1 Texas Driver License or Identification Number		Required. (8 to 10 digits)
Date of Birth		Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number		Required.
② DPS Audit Number		Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)		Required. (10 digits)
County Name	Select County 🗸	Required.

I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.



Voter Unique Identifier (VUID)

Find your VUID number on your voter registration card at, "Am I registered?" at <u>votetexas.gov</u>, or call your county voter registrar.







Empowering Voters. Defending Democracy

Tips for Voters New Election Laws 2022

Health and Justice Advocacy Network Voting Challenge Meeting

August 23, 2022



2022 General Election - Key Dates





- Last day to register to vote or change your address
 October 11
- First day to vote early in person
 October 24
- Last day to apply for vote-by-mail ballot
 October 28
- Last day to vote early in person November 4
- Election Day and vote-by-mail ballot receipt deadline
 November 8

VOTE411.org LWVTexas.org



NEW! Update your Voter Registration Online

 If you moved or changed your name, update your voter registration online at <u>texas.gov</u> or <u>votetexas.gov</u>



https://www.texas.gov/living-in-texas/texas-voter-registration/#update-voter-name-or-address

Login Information	
1 Texas Driver License or Identification Number	Required. (8 to 10 digits)
Date of Birth / /	Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number	Required.
② DPS Audit Number	Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)	Required. (10 digits)
■ County Name Select County ▼	Required.

I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.



Drivers License Number & DPS Audit Number





Voter Unique Identifier (VUID)

Login Information		
1 Texas Driver License or Identification Number		Required. (8 to 10 digits)
Date of Birth		Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number		Required.
2 DPS Audit Number		Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)		Required. (10 digits)
County Name	Select County 🗸	Required.

I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.



Voter Unique Identifier (VUID)

Find your VUID number:

- on your voter registration card
- "Am I registered?" at votetexas.gov, or
- call your county voter registrar.





NEW! Student Voters

College student voters living on campus may now use P.O. Box making it easier to register and vote at your college residence address.

Sec. 1015 (SB1111)





NEW! For Voters Without a Residence

- In the space on the registration form for residence address, it's safest to put the street address of an agency where you receive aid.
- In the space for mailing address, if you have one, put the P.O. Box where you receive your mail.



Sec. 15.051 - 15.054 (SB1111)



NEW!

Early Voting

Small counties can now provide longer hours for early voting when a written request submitted by at least 15 registered voters of the county.

85.005 (SB1)





Who qualifies:

- 65 years or older.
- Sick or disabled.
- Out of the county during early voting and on Election Day.
- In jail, but otherwise eligible to vote.

Who else now qualifies?

 Voters expecting to give birth within three weeks before or after election day

Sec 82.02 (HB 3920)





Organizations & Leagues

- Counties can only provide the applications to the individuals.
- Counties may not provide applications to organizations. But organizations can order from the Secretary of State's office or print VBM applications to share with voters to give out to anyone.

Sec. 84.001(SB1)

Print VBM applications at LWVTexas.org/votebymail

1. Voter information Provide	de your full legal name.			
Last	First	Middle		Suffix (Sr., /r.)
The rest of the information in this se	ection is helpful to the Early Voti	ng Clerk, but not require	d.	
Phone	Email			
Date of birth (mm/dd/yyyy)	Voter Unique Identifi	ier#	Precinct #	
2. Identification You must p	ravide one of the following numb	ers. We recommend you	provide both numb	sers.
Identification Number or Election Ed Certificate Number issued by the Dep Public Safety (Not your voter registra 3. Residence address The	partment of stion VUID #) Or Texas Election give the last 4		e Number,	Texas Driver's License/Texas Personal Identification Number/ Texas Election Identification Certificate or Social Security Number.
Street	Apt. #	City	F1-1-	TX Zip
Sireer.	opt. #	City	State	IA DP
2 2 2 22 2 2 2				
Mailing address This is w Same as residential address in sec Other address - You may use the C The mailing address is listed on m Address outside the County (vo Address of the JainCivil Commit Hoopitals, Marsing Home, Long-)	ction 3 Other Address line only if the other ny Yoter Registration Certificate ders absent from the county) Iment Facility or a Relative (Indicat	te relationship)		ektrionstval



Voters

Request a VBM application from your county election office or print from LWVTexas.org/votebymail

Sec. 84.001(SB1)

Provide Voter ID number (TXDL, Personal ID, EIC Number or, if not available, the last four digits of SSN) on your VBM application and VBM ballot carrier envelope

84.002 (SB1)

Use the same Voter ID number on your voter registration application, VBM application, and VBM carrier envelope.

Sec. 84.002 (SB1)



How to Apply and Vote By Mail

How to apply to vote by mail

1. 6	iet an application		
	Download and print the application from VoteTexas	s.gov. A	pplications are available in English and Spanish
	Call to request an application from your County Elec	tion of	fice at
2. F	ill out the application - Provide all th	e req	uired information
1. V	oter information	4. Se	end me a ballot for the following elections
	Your contact information, in case there's an issue with your application.		Mark which election you are applying to vote by mail in.
	Your ID numbers • Your TX Drivers License or TX Personal ID number AND • The last 4 digits of your Social Security Number		If you are 65 or older, are sick, or are disabled, you can check the "Annual Application" box to receive ballots for all mail elections until the end of the calendar year.
2. M	lail my ballot to		In even years, mark the primary and runoff election
	The mailing address where your ballet will be sent.		you want to vote in.
3. R	eason for voting by mail	5. Si	gn here
	Your reason for voting by mail.		Sign and date the application.
	Have a disability? Remember to check the box that says "Disability".	6. A	ssistant and Witness

Pocket Guide

Mail in Texas Your Ballot by How to Return

£898-788-8883 Election Protection Hotline

VOR. 2 EXCET 930 V 800-252-VOTE TX Secretary of State Office

Visit bit.ly/TXcountycontact County Election Office

Still have questions?

Who can vote by mail?

You can vote by mail if you are:

- · 65 years or older
- Sick or disabled
- · Out of the county during early voting and on
- Expecting to give birth within 3 weeks before or after Election Day

PPX-1966 To vote by mail in Texas, you must return your

What should I do if...

Call your County Election Office for their best advice. Find their contact information at bit.ly/TXcountycontact

I lost my ballot. What should I do?

Vote in person instead. You will vote provisionally, which is a secure alternative to voting a regular ballot.

I made a mistake on my ballot. What should I do? Vote in person instead. Take your Ballot-by-Mail with you to the polling station and give it to the voting clerk. You will be allowed to vote on a regular ballot.

Voters

Use the **same Voter ID number** on your

- Voter registration application
- VBM application
- VBM carrier envelope.

Recommend to always use both driver's license AND Social

For the Cure process

Provide contact information on your VBM carrier ballot so the county may contact you if you need to fix an error with your application or ballot.

REQUIRED INFORMATION: OU MUST PROVIDE ONE OF THE FOLI	.ow	ING NUMBERS AND IT MUST BE ASSOCIATED WITH YOUR VOTER	RR	EGISTRATION RECORD
	OR (0)	If you do not have a Texas Driver's License or Personal Identification Card or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number (Si no tiene licencia de conducer de Texas o Número de Identificación Personal o Certificado de Identificación Electoral expedida por el Departamento de Seguridad Pública de Texas, proporcione los 4 últimos dígitos de número de Seguro Social) XXX - XX -	(0)	I have not been issued a Texas Driver's License or Texas Personal Identification Card or Texas Election Identification Certificate or a Social Security Number (No me han expedido una licencia de conducir de Texas o Nümero de Identificación Personal o Certificado de Identificación Electoral expedida por el Departamento de Seguridad Pública de Texas ni un número de Seguro Social

OPTIONAL CONTACT INFORMTION: Phone

Email



VBM Carrier Envelope

2232432

VBM tracker

 Track your VBM application and VBM ballot throughout the election process

Cure process

- Provide contact information on your VBM application so the county may contact you if you need to fix an error with your application or ballot.
- Turn your VBM ballot in early so your county may contact you if there is an error with the application.



Sec. 86.015 (HB 1382)

Name: Last, Residence Address	as shown on your	First, Voter Registration Certif	icate	Middle	Suffix (Jr., Sr
Address:					
Street Optional Informati	on: Providing this i	Apt. # (if any) nformation is helpful to the	City he Early Voting C	State Clerk, but not required.	Zip Code
Date of Birth:	_//	VUID#:		Pct #:	
Email:			Te	4.#:	

Provide your contact information on your application to VBM and the VBM ballot carrier envelope

NEW! Assisting Voters

- Persons who assist voters with a VBM application, VBM ballot, or in-person ballot must provide their relationship to the voter and address.
- For the VBM ballot sign an oath, and mark that they didn't receive compensation.

Sec. 84.011(SB1

 Persons who drive 7 or more voters who qualify for curbside voting must sign a form which is shared with the Secretary of State and the Attorney General's office. Sec.64.009 (SB1)



"I swear (or affirm) under penalty of perjury that the voter I am assisting represented to me they are eligible to receive assistance;

I will not suggest, by word, sign, or gesture, how the voter should vote;

I will confine my assistance to reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot;

I will prepare the voter's ballot as the voter directs;

I did not pressure or coerce the voter into choosing me to provide assistance;

I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs;

OCA-APPX-1969

I will not communicate information about how the

Oath & Compensation

Oath of Person Assisting Voter; "I swear (or affirm) under pen to receive assistance; I will not suggest, by word, sign, or ge	alty of perjury that the voter I am assisting represented to me they are eligit sture, how the voter should vote;	SIGNATURE OR MAI	RK OF VOTER (FIRMA O MARCA DEL VOTANTE)
employer, an agent of the voter's employer, or an officer or information about how the voter has voted to another perso for assistance, the voter's ballot may not be counted." Juram perjurio que el votante al que estoy asistiendo me representó como debe votar el votante;	I will prepa oerce the voter into choosing me to provide assistance; I am not the vote agent of a labor union to which the voter belongs; I will not communica n; and I understand that if assistance is provided to a voter who is not eligib nento de la Persona Asistiendo al Votante: "Yo juro (o afirmo) bajo pena que es elegible para recibir asistencia; no sugeriré, con palabra, señal, o gest raré la boleta del votante según lo indique el votante; no presioné ni coaccio	Completed by Early Voting Cler te le le de no, Name of Voter (Nombre del vo	e Elección):otante):
al votante para que me eligiera como asistente; no soy el emp de un sindicato al cual el votante pertenece; no comunicaré ir se proporciona asistencia a un votante que no es elegible par	leador del votante, un agente del empleador del votante, o un oficial o agen iformación sobre cómo el votante ha votado a otra persona; y entiendo que a recibir asistencia, la bolieta del votante podría no ser contada." un asistente o testigo, marque la casilla correcta y proporcione su informació	Instructions to Witness: You are se of voter). You must complete the se	erving as a witness for (name ection below if you witness the mark of the voter, or if the voter
Did you receive compensation or other benefit from a assistance? Circle one: Yes No	candidate, campaign or political committee in exchange for providing ato, campaña o comité político a cambio de brindar asistencia?	(Instrucciones al Testigo: Usted está (nombre del votante). Usted debe li	
Printed Name (Nombre en letra de molde)	Signature (Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)
Relationship to Voter (relacion al votate)	Street Address (Domicilio residencial)	Street Address (Domicilio residencial)	



•Sec.86.0105 (SB1)



NEW! Poll Watchers

- Required to take training and Sign an oath.
- Have fewer restrictions on movement and observation.
- If poll worker(s)
 providing assistance
 then poll watcher can
 "inspect" ballot but not
 if personal assistant.

"I swear (or affirm) that I will not disrupt the voting process or harass voters in the discharge of my duties."

Sec. 33.051 (SB1)



How you can help

Share trusted resources

- <u>LWVTexas.org/votebymail</u>
 - Print <u>Application to Vote by Mail</u>
 - Print How to Apply and Vote by Mail
 - Print <u>Pocket Guide How to Vote by Mail</u>
 - Print <u>Bookmarks Vote by Mail</u>
 - Print <u>Door Hangers Vote by Mail</u>
 - Video Susan SharesTips for Filling out the application to Vote by Mail
 - Video <u>Susan SharesTips for Voting by Mail</u>
 - Video <u>How to Vote by Mail Texas Style</u>

Become a poll worker

Your county's Elections Office or <u>PowerThePolls.org</u>

Volunteer for Election Protection.

866OurVote.org

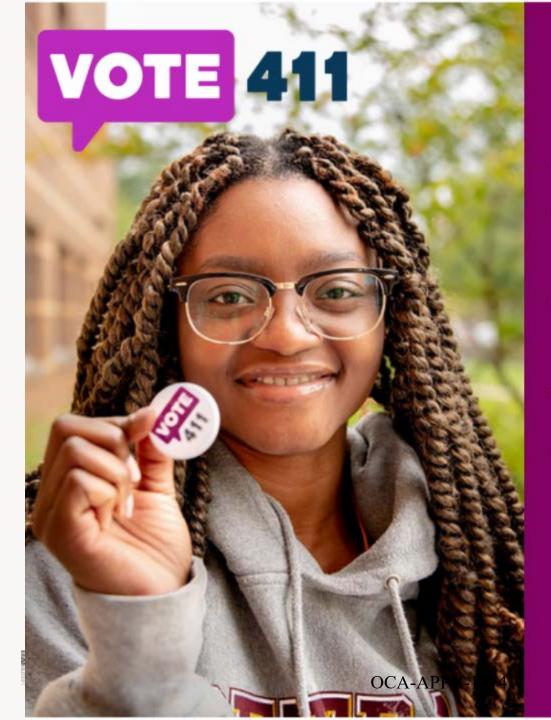


Resources

- <u>LWVTexas.org</u>
 <u>VOTE411.org</u>,
- Election Protection
 https://866ourvote.org/state/texas/
 866-687-8683
- Texas Secretary of State
 VoteTexas.gov
 (800) 252-VOTE







WHAT IS ON YOUR BALLOT? VOTE411.ORG

VOTERS GUIDE - BY THE LEAGUE OF WOMEN VOTERS EDUCATION FUND



Exhibit 129

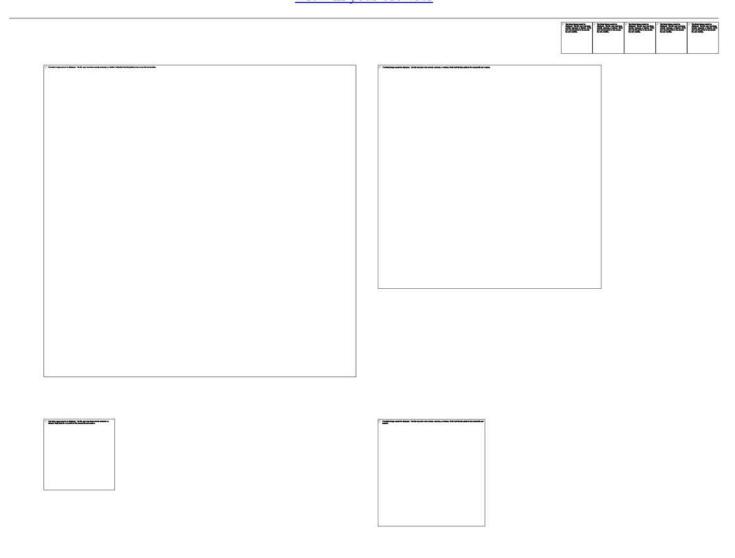
From: Grace Chimene [lwvtexas@lwvtexas.org]

on behalf of Grace Chimene < lwvtexas@lwvtexas.org > [lwvtexas@lwvtexas.org]

Sent: 12/13/2021 4:21:21 PM **To**: gchimene@lwvtexas.org

Subject: Tips for Voters with Disabilities and Voters Over 65

View in your browser



For Immediate Release December 14, 2021 For Information Contact: **Grace Chimene 512-940-9948** <u>qchimene@lwvtexas.org</u>

Upcoming Webinar: The Impact of New Election Laws on Voters

with Disabilities and Voters Over 65 December 15, 2021 - Noon - 1:00 PM

Austin - On Wednesday, December 15, 2021 at noon, the League of Women Voters of Texas will join The Arc of Texas, Disability Rights Texas, and REV UP Texas to present a free one-hour webinar to review the new election laws enacted by the 87th Texas Legislature. The presenters will focus on changes to vote by mail, curbside voting and giving assistance to voters. The goal of this webinar is to lessen the impact of election law changes felt by voters with disabilities and those over 65.

The need for this informative presentation is explained by Grace Chimene, president of the League of Women Voters of Texas. "We want to get voters ready well before the March 2022 Primary Election so that they are not confused by or afraid of these election law changes. This webinar will be helpful for all voters, but especially those who will be disproportionately affected such as disabled voters and voters over 65. The March Primary Election is going to be an important election, with a large number of races and candidates. Our goal is to reduce any barriers for Texas voters."

The presenters will include:

- Grace Chimene, President <u>League of Women Voters of Texas</u>
- Molly Broadway, Training and Technical Support Specialist for Voting Rights <u>Disability Rights Texas</u>
- Jeffrey Miller, Policy Specialist <u>Disability Rights Texas</u>
- Ashley Ford, Director of Public Policy & Advocacy The Arc of Texas

You can register in advance for this webinar:

https://us02web.zoom.us/webinar/register/WN PVeDccrtSDGbK92Rp C2 g

After registering, you will receive a confirmation email containing information about joining the webinar.

The League of Women Voters is one of America's oldest and most trusted civic nonprofit organizations. Formed in 1919, the Texas League represents more than 13,500 grassroots advocates and 34 local Leagues across the state. The League never supports or opposes candidates for office or political parties. The League encourages the informed and active participation of citizens in government. The League also seeks to influence public policy through education and advocacy. Membership is open to people 16 years and older.

League of Women Voters of Texas

1212 Guadalupe St. #107 Austin Texas, 78701 (512)-472-1100

lwvtexas@lwvtexas.org lwvtexas.org





You have received this message from the mailing list of The League of Women Voters of Texas. If you would prefer not to receive these emails in the future, go to the <u>opt-out page</u> and modify your privacy settings. You can also request to be removed from our database completely.

Exhibit 130

From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene <gchimene@lwvtexas.org> [gchimene@lwvtexas.org]

Sent: 1/12/2022 2:17:19 PM

To: Willie Bennett [WBennett@episcopalhealth.org]

Subject: Re: HJAN retreat

Perfect!

I'm looking forward to the event!

Grace

On Wed, Jan 12, 2022 at 1:07 PM Willie Bennett < WBennett@episcopalhealth.org > wrote:

Hi Grace! I wanted to give you a final update for Saturday and see if you have any questions. I have included a draft agenda for you that remains mostly the same. You will have **two 40-minute** segments to share the latest on laws regarding GOTV and assisting voters and the second to talk about actually getting out the vote, tools they can use, who is running, etc. This time frame includes Q and A. You will be able to share your screen with us. Here is the link:

https://zoom.us/j/92942411244?pwd=VzJZbk9SM1FrOkVaMWxoK3BGZlowOT09

Why this Meeting?

The registrations have been up and down with COVID and changes to the ordination schedule but I'm expecting 10-20 representatives from different areas of the diocese.(Brenham, Houston, Austin, Bryan/CS, Austin, Temple, Waco) The Health and Justice Advocacy Network(HJAN) is an organization of Episcopalians working together on policy issues affecting health. It began the fall of 2020 and took up Medicaid Expansion during the Legislative session. Starting from a core of 8 people, they engaged the entire diocese around Medex and rallied volunteers to make over 700 contacts with legislators as well as participated in public hearings online and in person over the summer and fall last year. Now they are regrouping and looking to keep Medex at the forefront as they encourage their communities to vote in the primaries with Coverage Expansion on their mind.

Key People

The strength of HJAN is in their relationships. Most of the people on the call Saturday will be key representatives in their church as well as within their community or the Episcopal church. For example:

The co-chair of the meeting, **Joyce Statz**, is a key leader at St. Matthews in Austin. She led their GOTV drive in 2020 that made contact with over 2000 potential voters inside and outside their congregation.

The other co-chair, **Dec. Clothier** from Temple, has connections with the head of deacons for the diocese and is able to get information out to all the deacons serving. In the Episcopal church, the deacons take the lead in social ministry and many have worked with us. Unfortunately, this is ordination weekend so several will not be able to attend.

Another is **Max Gerall**, the Founder of REACH at Texas A&M – his group has done small group meetings with over 200 custodians and their families at A&M as they provide support and advocate with them. He also has connections with Episcopal churches in Bryan/College Station and others. You get the idea.

Here is the latest agenda. Let me know if you have any questions.

1/11/21

Draft agenda

9:00 - Opening - Joyce Statz

Prayer Dec. Tamara Clothier

Introductions(Name and congregation)

Video Welcome from Bishop Ryan (que video)

9:12 - Rationale for the retreat- Joyce

9:15 – Summary of Build Back better and accomplishments last year – **Lisa Madry** – Willie introduce

9:20 – **League of Women Voters** – part 1 – Changes to voting and assisting with Q/A - Willie introduce

10:00 - break - 5 min

10:05 - League - Part 2 - Tools and Tactics for GOTV 2022; Q/A

11:00 - break 5 min

11:05 – Episcopal Activators – Alan Yarborough, Office of Govt. and Church rel. Willie introduce

11:20 – HJAN planning for 2022 (Charge for HJAN members)

11:30 – Small groups (Give instructions for the breakout; need reporter for each group)

12:00 - Reports

12:30 - Adjourn

Next Meeting - Feb. 21 tentative

Willie Bennett

Congregational Engagement Officer

EPISCOPAL HEALTH FOUNDATION

500 Fannin St. Suite 300

Houston, Texas 77002

Main: 713-225-0900 Direct: 832-807-2590

Health has a new voice in Texas.

EpiscopalHealth.org



--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

512-940-9948

Exhibit 131

From: Lorraine McKay [lorraine.mckay@wilco.org]

on behalf of Lorraine McKay < lorraine.mckay@wilco.org > [lorraine.mckay@wilco.org]

Sent: 2/2/2022 9:29:40 AM
To: gchimene@lwvtexas.org

CC: Christopher J. Davis [cjdavis@wilco.org]
Subject: RE: Call me if you get a chance. LWV

Attachments: 2022 Election Dates.docx; Ballot by Mail Tips 2022.docx; 6-19 - Dear Voter Letter 2022.docx

Hello Grace,

As always our website has quite a bit of information: https://www.wilco.org/votebymail. The document 2022 Election Dates is what I include when mailing out requested Ballot by Mail applications. The other two documents are included with the mail-ballot. The Dear Voter letter came from the State, the other documents were created by our office. Please let me know if you have any specific questions about voting by mail. We want everyone to be as comfortable as possible with the new laws.

Best,

Lorraine McKay Ballot by Mail Coordinator 512-943-1633

From: Grace Chimene <gchimene@lwvtexas.org>

Sent: Tuesday, February 1, 2022 3:44 PM
To: Christopher J. Davis < cjdavis@wilco.org >
Subject: Call me if you get a chance. LWV

EXTERNAL email: Exercise caution when opening.

Chris,

Do you have instructions for the Ballot by Mail provided by the SOS and any that Williamson County is creating?

Call if you have any suggestions for messaging on the issues folks are having. I don't want to suppress the vote but I'm getting lots of concerns with the process.

__

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene <gchimene@lwvtexas.org> [gchimene@lwvtexas.org]

Sent: 1/28/2022 12:19:52 PM

To: Selene Gomez [selene@voteriders.org]
Subject: Re: VoteRiders Partner Toolkit Launch

You can find our resources here: https://lwvtexas.org/votebymail

The one-pager is on this page along with videos. More videos are coming about the Ballot tracker and how to fill out the carrier envelope.

It is best to refer to the website in case I need to update the one-pager.

This is the actual one pager. It has an ugly url

https://s3.amazonaws.com/ClubExpressClubFiles/979482/documents/Vote by Mail and Register to vote On e pager 12 1165544255.pdf?AWSAccessKeyId=AKIA6MYUE6DNNNCCDT4J&Expires=1643394201&re sponse-content-

disposition=inline%3B%20filename%3DVote_by_Mail_and_Register_to_vote_One_pager_12_.pdf&Signature =%2Bq572hLtsR52A5KcatcEAcv0raA%3D

Call if you have any questions.

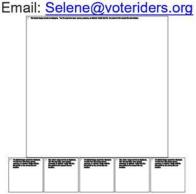
On Fri, Jan 28, 2022 at 12:16 PM Selene Gomez < selene@voteriders.org > wrote: Grace,

I am reaching out to share our new <u>partner toolkit</u> we just launched this week and see if it could be sent out to the Texas chapters. I also wanted to check in to see if you have finalized the one pager that addresses mail in ballot ID issues. I would like to include it in our resources if possible.

Selene M. Gomez, MPA

National Outreach Director

Pronouns: She/Her/Ella Phone: (210) 723-7113 mail: Selene@voteriders.org



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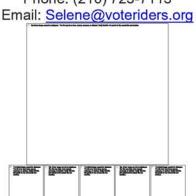
On Fri, Jan 14, 2022 at 2:04 PM Grace Chimene <gchimene@lwvtexas.org> wrote: That is a relief! One less thing to worry about. Thank you so much.

On Fri, Jan 14, 2022 at 1:57 PM Selene Gomez < selene@voteriders.org > wrote: Grace,

I just wanted to let you know that I was able to login through the portal you showed me to change my address. I was also curious if I would be able to find out if I was registered to vote with my DL number even though I didn't provide it when registering and I was able to do so. I hope you find this information helpful after our conversation this morning.

Selene M. Gomez, MPA

National Outreach Director
Pronouns: She/Her/Ella
Phone: (210) 723-7113
Email: Selene@voteriders.org



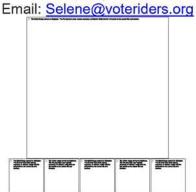
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On Tue, Jan 11, 2022 at 2:50 PM Selene Gomez < selene@voteriders.org > wrote: Sounds good! I will look out for the calendar invite with the link. Talk to you soon!

Selene M. Gomez, MPA

National Outreach Director

Pronouns: She/Her/Ella Phone: (210) 723-7113 Fmail: Selene@voteriders.org



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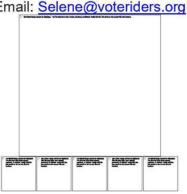
On Tue, Jan 11, 2022 at 2:46 PM Grace Chimene <gchimene@lwvtexas.org> wrote: Let's do a zoom so I can share and you can visualize the issue.

On Tue, Jan 11, 2022 at 2:34 PM Selene Gomez < selene@voteriders.org > wrote: How's 11am? If that works, I can give you a call then, unless you prefer a video call.

Selene M. Gomez, MPA

National Outreach Director

Pronouns: She/Her/Ella Phone: (210) 723-7113 Email: Selene@voteriders.org



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On Tue, Jan 11, 2022 at 2:14 PM Grace Chimene <gchimene@lwvtexas.org> wrote: I'm wide open this Friday.

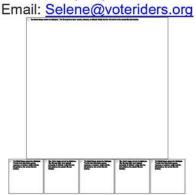
On Tue, Jan 11, 2022 at 1:50 PM Selene Gomez < selene@voteriders.org > wrote:

This is great! Thank you for sharing it and yes, I would like to talk about this component of SB1. I would love to get your input on that and see how we can assist voters. Do you have any availability sometime in the next couple of weeks?

Selene M. Gomez, MPA

National Outreach Director

Pronouns: She/Her/Ella Phone: (210) 723-7113 Fmail: Selene@voteriders.or



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On Tue, Jan 11, 2022 at 1:28 PM Grace Chimene <gchimene@lwvtexas.org> wrote: I will share with the presidents.

Let me know if you want to chat about the issue VBM voters are having with Voter ID numbers that are required on the application?

Grace

On Tue, Jan 11, 2022 at 1:07 PM Selene Gomez < selene@voteriders.org > wrote: Grace,

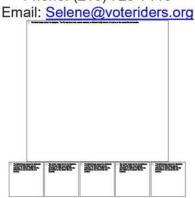
Happy New Year! I hope you are doing well. I wanted to invite you to VoteRiders' launch of our 2022 Partner Toolkit via zoom on January 26 at 3pm ET. We'll walk you through the free ID resources, tools, and services that are available to all of our partner organizations to ensure that the

communities they serve have the ID information and help they need to vote with confidence. You can Sign up here. Would you also forward it to all the Texas chapters? I would truly appreciate it.

Additionally, please let me know if there is any way we can help the LWV chapters as they do voter registration and voter guides. We would love to provide them with literature and resources to refer voters to us should they lack an acceptable ID.

Selene M. Gomez, MPA

National Outreach Director Pronouns: She/Her/Ella Phone: (210) 723-7113



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--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

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Empowering Voters. Defending Democracy

--

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Empowering Voters. Defending Democracy

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Empowering Voters. Defending Democracy

Grace Chimene (she/her)
President, League of Women Voters of Texas
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512-940-9948

From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene <gchimene@lwvtexas.org> [gchimene@lwvtexas.org]

Sent: 1/19/2022 1:16:23 PM

To: Dorothy Marchand [dmarchand@lwvtexas.org]

CC: Barbara Larkin [barblarkin@tx.rr.com]
Subject: Re: VBM app question on the two IDs

All the voter registration gets updated to the SOS Team eventually. I have also heard from the SOS that DPS is sharing id with TEAM and the SOS.

Barbara,

Voters may provide both ID numbers. Don't check the box below the SS#

On Wed, Jan 19, 2022 at 11:57 AM Dorothy Marchand < dmarchand@lwvtexas.org> wrote: Hi Barb,

Copying Grace as the advice on this seems to evolve and the opinions from other advocacy groups appear mixed. I was on a call this morning with Gretchen Nagy, the Voter Registration Director for Travis County. She indicated that the counties were initially using their own data bases to check the BBM application numbers, but were told last week by SOS office to use TEAM instead. The county data bases had been synced with TEAM, but the information that TEAM gets from the DPS was not included. When using TEAM directly, they are experiencing a lower rejection rate because TEAM has the SSN as well as the TDL numbers.

Grace?

Dorothy

Dorothy Marchand VP, Voter Education League of Women Voters of Texas 713 446 4297 Empowering Voters. Defending Democracy

On Jan 19, 2022, at 10:21 AM, Barbara Larkin < barblarkin@tx.rr.com > wrote:

HI Dorothy: We created a flyer to explain that there is a new VBM application – and have recommended that voters put both their social and drivers license on the form. Yesterday Josh the lawyer said he was concerned that voters would get in trouble for doing that – I guess because the way the first question is worded- "if you don't have". What are you recommending we say/recommend voters do on those two ID lines. Would it be better to encourage them to work on getting their own voter file updated with both numbers? Thanks for any advice. Barbara

--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

From: Madhu Sridhar [madhusridhar2012@gmail.com]

on behalf of Madhu Sridhar <madhusridhar2012@gmail.com> [madhusridhar2012@gmail.com]

Sent: 11/7/2021 4:01:12 PM

To: Grace Chimene [gchimene@lwvtexas.org]

Subject: Re: revised SB1 material

Thanks for your response. I will post this for now and wait to post the one you send when we get it. Madhu

On Sun, Nov 7, 2021 at 7:16 AM Grace Chimene <gchimene@lwvtexas.org> wrote:

Madhu,

We are working with lawyers to come out with the SB 1 voter education which will be provided by before it goes into effect on Dec. 2.

Thank you,

Grace

On Sat, Nov 6, 2021 at 5:22 PM Madhu Sridhar < madhusridhar 2012@gmail.com > wrote:

Hi Grace:

Can you please verify the following? This is the list of 8 regarding SB! limiting our right to vote. According to Glenda (see her email below), #5 on the list is incorrect.

Original Wording:

5. Require voters using mail ballots to include the ID number contained in their registration records when applying for or returning mail ballots;

Revised by Glenda:

5. Require voters using mail ballots to include the number of their driver's license, election identification certificate or personal identification card issued by the Department of Safety, or if the voter has not been issued such a number, the last four digits of their Social Security number, when applying for or returning mail ballots;

Thanks.

Madhu

----- Forwarded message -----

From: Glenda Wolin < gwolin@gmail.com >

Date: Fri, Nov 5, 2021 at 3:43 PM Subject: revised SB1 material

To: Madhu Sridhar < madhusridhar 2012@gmail.com >

I made an important change in No. 5 - I don't know who wrote that, but if it came from State, they are wrong and if they are still running it, it needs fixing.

Stay safe,

Glenda

--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

Empowering Voters. Defending Democracy

--

Madhu Sridhar President League of Women Voters of San Antonio 210 668 1250

Making Democracy Work! Your local league is an all-volunteer effort

From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene <gchimene@lwvtexas.org> [gchimene@lwvtexas.org]

Sent: 2/28/2022 4:16:44 PM

To: Dorothy Marchand [dmarchand@lwvtexas.org]

Subject: Re: Love Victoria advocate

That is great news!

On Mon, Feb 28, 2022 at 3:52 PM Dorothy Marchand dmarchand@lwvtexas.org wrote:
Oh, that is just awesome. Update: my girlfriend who couldn't get her ballot accepted, while only met with frustration on Harris County website and phone calls, was able to go to VoteTexas.gov (where I suggested) and get it fixed. Now shows as "Ballot Accepted"!

Dorothy Marchand dmarchand@lwvtexas.org

On Feb 26, 2022, at 5:27 PM, Grace Chimene < gchimene@lwvtexas.org > wrote:

https://www.victoriaadvocate.com/news/election_central/primary-election-is-tuesday-heres-what-you-need-to-know/article_d1ce547a-968e-11ec-848f-a794d0ab2336.html

_

Grace Chimene (she/her)
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200

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

From: LWV Texas State Office [lwvtexas@lwvtexas.org]

Sent: 8/11/2022 11:53:32 AM

To: Joyce Hillebrand [jdhillebra@gmail.com]

BCC: jlebombard@lwvtexas.org
Subject: Re: Voting by mail questions

Hi Joyce,

I have forwarded your questions to the experts on this and you should get a replay early next week. Aileen

Aileen McMurrer Executive Director

Empowering voters. Defending democracy.

1212 Guadalupe Ste 107 Austin, TX 78701 512-472-1100

lwvtexas@lwvtexas.org

On Wed, Aug 10, 2022 at 3:42 PM Joyce Hillebrand < jdhillebra@gmail.com > wrote:

I am part of the Wood County Democratic Club and working on Voting By Mail(VBM) and I have some questions, especially since all the rules have changed. Hopefully someone can answer them for me. I have looked through your info that was sent out but could not find the answers to these questions.

- 1. Can we as a club hand out the VBM applications to people in our county?
- 2. If so, can we highlight areas that have caused applications to be rejected?
- 3. Can we hand out sample ballot cheat sheet with areas that need to be completed?

Thanks

Joyce Hillebrand

From: Joyce LeBombard [jlebombard@lwvtexas.org]

Sent: 10/28/2022 4:38:50 PM

To: MARY CULLINANE [mculli@sbcglobal.net]
CC: Joyce LeBombard [president@lwvtexas.org]

Subject: Re: Fw: Travis County Elections Ballot by Mail - G22 Notice of Carrier Defect

Attachments: image005.jpg; image006.jpg

Hi Mary,

Please let her know this issue can be fixed online so her vote can still count. Have her read down what was sent to her to How To Correct Defect #4 Online. She just needs to go to VOTETexas.gov and click on Ballot By Mail Tracker to put in her correct numbers and have her add both her DL number and her SSN. I believe she will need her VIU ID to find her info on the Ballot By Mail Tracking which I am sure she does not have with her but that she can get off of the VoteTravis.org site.

Hope this helps! If you want she can call me.

Joyce LeBombard (she/her)

President, League of Women Voters of Texas <u>jlebombard@lwvtexas.org</u> | 512-585-4090 (c)

Schedule a meeting with me: https://calendly.com/joycelebombard

LWVTexas.org & VOTE411.org

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On Fri, Oct 28, 2022 at 3:28 PM MARY CULLINANE < mculli@sbcglobal.net > wrote:

Hi Joyce - I don't know if y'all are collecting election stories but here's one from a friend. She is visiting in NY. She won't be back in TX in time to go in person to fix this problem. Another voter denied.

Mary

---- Forwarded Message -----

From: Bernadette Maloney < bernadette.maloney@gmail.com >

To: MARY CULLINANE < mculli@sbcglobal.net > Sent: Friday, October 28, 2022 at 03:19:17 PM CDT

Subject: Fwd: Travis County Elections Ballot by Mail - G22 Notice of Carrier Defect

Look at this!

----- Forwarded message -----

From: eBBM < eBBM@traviscountytx.gov > Date: Fri, Oct 28, 2022 at 1:22 PM

Subject: Travis County Elections Ballot by Mail - G22 Notice of Carrier Defect

To:

NOTICE OF CARRIER DEFECT

Voter Notified of Carrier Envelope Defect by Phone or Email

Your Carrier Envelope has been received and reviewed, but is defective for the reason(s) checked below.

Texas law allows a voter to correct certain defects on his or her Carrier Envelope after the marked ballot has been returned to the Early Voting Clerk. Your Carrier Envelope is being held at the Early Voting Clerk's Office so that you can make the necessary corrections because there was not sufficient time to return your Carrier Envelope to you by mail. The defect(s) listed below are able to be corrected no later than the 6th day after Election Day by appearing in person at the Early Voting Clerk's Office.

- The Carrier Envelope you returned to the Early Voting Clerk was not signed.
- 2. When the signature on your Application for Ballot by Mail was compared to the signature on your Carrier Envelope, it could not be immediately determined that the signatures were made by the same person.
 - 3. A required Statement of Residence was not included in the Carrier Envelope you returned to the Early Voting Clerk.
- X 4. Your Carrier Envelope did not contain your Texas Driver's License Number, Texas Personal Identification Number, Texas Election Identification Certificate Number or the Last 4 digits of your Social Security Number: OR
 - the number provided did not match the number associated with your voter registration record as provided by your County's Voter Registrar; OR
 - if you were not issued one of the documents with the required number, you did not indicate this fact on the Carrier Envelope
- 5. The Carrier Envelope you returned to the Early Voting Clerk contained incomplete information with respect to a witness.

How to Correct a Defect on Your Carrier Envelope by Appearing in Person at the Early Voting Clerk's Office

Defects number 1, 2, 3, and 5 can be corrected by completing the Corrective Action Form included with your notification of defect. You must deliver the completed Corrective Action Form in person to the Early Voting Clerk's Office.

Defect Correction Process by Number

- Defect #1 Complete and sign the Signature Box on the Corrective Action Form.
- Defect #2 Complete and sign the Signature Box on the Corrective Action Form.
- Defect #3 Complete and sign the Statement of Residence portion of the Corrective Action Form.
- . Defect #4 You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov or by providing your personal identification information in Box #4 of the Corrective Action Form. If you use the Corrective Action Form, you must complete and sign the Signature Box.
- . Defect #5 If you used a witness for your Carrier Envelope because you were not able to sign or make your mark and the witness information was missing or incomplete, please ask a witness to complete the witness portion of the Corrective Action Form. You may use a different person as a witness if the same person is not available.
 - NOTE: If you no longer need a witness, you must be able to sign or make your mark on the Corrective Action Form in the Signature Box.

Correcting Defect #4 Using the Ballot by Mail Tracker

You may correct Defect #4 online through the Texas Secretary of State Ballot by Mail Tracker at www.votetexas.gov or by delivering the Corrective Action Form to the Early Voting Clerk's Office no later than the 6th day after Election Day. When you log into the Ballot by Mail Tracker, you will have the opportunity to enter your personal identification number(s). Both your Texas Driver's License or Texas Personal Identification Card number AND your Social Security number must be associated with your voter registration record to use the Ballot by Mail Tracker. Once your personal identification number is validated by the Ballot by Mail Tracker, the Carrier Envelope you previously submitted will be processed. Once your corrective action has been reviewed, the date of review and the status of your Carrier Envelope will be displayed on the Ballot by Mail Tracker. You do not have to appear in person at the Early Voting Clerk's Office if you make your correction online.

To utilize the Ballot by Mail Tracker, you must enter:

- · Your Texas Driver's License Number or Texas Personal Identification Number, AND
- The last four digits of your social security number AND
- · Your residence address as listed in your voter registration record

Cancelling Your Ballot by Mail - If you do not wish to correct the defect, you may still vote in person by cancelling your Ballot by Mail. If you cancel your Ballot by Mail in person at the Early Voting Clerk's Office, you will be given a Notice of Surrendered Ballot to take to the polls. This entitles you to vote a regular ballot. If you do not cancel at the Early Voting Clerk's Office, you will be able to vote a Provisional Ballot at the polling place. You may not vote in person after Election Day.

If you have any questions or concerns about making a correction to your Carrier Envelope please contact the Early Voting Clerk's Office at:

(512) 238 - VOTE

1. Seaman

Nina Seaman, Presiding Judge

Phone Number of Early Voting Clerk

Signature of Reviewing Election Official Printed Name of Election Official

5501 Airport Boulevard Austin, TX 78751

Address of the Early Voting Clerk's Office

AVISO DE DEFECTO DEL SOBRE DE ENVÍO

VOTANTE NOTIFICADO POR TELÉFONO O CORREO ELECTRÓNICO DEL DEFECTO DEL SOBRE DE ENVÍO

Su Sobre de Envío ha sido recibido y revisado, pero está defectuoso por la(s) razón(es) marcada(s) a continuación. La ley de Texas permite que un votante corrija ciertos defectos en su Sobre de Envío después de que la boleta marcada haya sido devuelta al Secretario de Votación Adelantada. Su Sobre de Envío está siendo retenido en la Oficina del Secretario de Votación Adelantada para que usted pueda hacer las correcciones necesarias porque no hubo tiempo suficiente para devolverle su Sobre de Envío por correo. Los defectos que se enumeran a continuación se pueden curar a más tardar el 6º día después del Día de las Elecciones presentándose en persona en la Oficina del Secretario de Votación Adelantada.

Hay una marca de veri	ificación junto a la	a razón por la qu	e su Sobre de	Envío era Defectuoso:
-----------------------	----------------------	-------------------	---------------	-----------------------

- 1. El Sobre de Envío que devolvió al Secretario de Votación Adelantada no estaba firmada.
- Cuando se comparó la firma de su Solicitud de Boleta Postal con la firma de su Sobre de Envío, no se pudo determinar inmediatamente que las firmas fueron realizadas por la misma persona.
- _____3. La Constancia de Domicilio Permanente requerida no se incluyó en el Sobre de Envío que usted devolvió al Secretario de Votación Adelantada.

Su Sobre de Envío no contenía su Número de Licencia de Conducir de Texas, su Número de Identificación Personal de Texas, su Número de Certificado de Identificación Electoral de Texas o los últimos 4 dígitos de su Número de Seguro Social; O
El número proporcionado no coincidía con el número asociado con su registro de votante proporcionado por el Registrador de Votantes de su condado; O

Si no se le expidió uno de los documentos con el número requerido, no indicó este hecho en el Sobre de Envio.

_5. El Sobre de Envío que usted devolvió al Secretario de Votación Adelantada contenía información incompleta con respecto a un testigo.

Cómo Corregir un Defecto en Su Sobre de Envío Presentándose en Persona en la Oficina del Secretario de Votación Adelantada

Los defectos número 1, 2, 3 y 5 pueden ser corregidos completando el Formulario de Acción Correctiva incluido en su
notificación de defecto. Debe entregar el Formulario de Acción Correctiva completado en persona en la Oficina del
Secretario de Votación Adelantada.

Proceso de Corrección de Defectos por Número

- Defecto #1 Complete y firme la Casilla de Firma en el Formulario de Acción Correctiva.
- Defecto #2 Complete y firme la Casilla de Firma en el Formulario de Acción Correctiva.
- Defecto #3 Complete y firme la parte de la Constancia de Domicilio Permanente del Formulario de Acción Correctiva.
- Defecto #4 Usted puede corregir el defecto #4 en línea a través del Rastreador de Boleta por Correo de la Secretaría de Estado de Texas en www.votetexas.gov o agregando su(s) número(s) de identificación personal en la Casilla #4 del Formulario de Acción Correctiva. Si utiliza el Formulario de Acción Correctiva, debe completar y firmar la Casilla de Firma.
- Defecto #5- Si utiliza un testigo para su Sobre de Envío porque no pudo firmar o hacer su marca y la información del testigo faltaba o estaba incompleta, pida a un testigo que complete la parte del Formulario de Acción Correctiva correspondiente. Puede utilizar una persona diferente como testigo si la misma persona no está disponible.

NOTA: Si ya no necesita un testigo, debe poder firmar o hacer su marca en el Formulario de Acción Correctiva en la Casilla de Firma.

Corrección del Defecto #4 Usando el Rastreador de Boleta por Correo

Puede corregir el defecto #4 en línea a través del Rastreador de Boleta por Correo de la Secretaría de Estado de Texas en www.votetexas.gov o entregando el Formulario de Acción Correctiva en la Oficina del Secretario de Votación Adelantada a más tardar el 6° día después del Día de las Elecciones.

Cuando ingrese al Rastreador de Boleta por Correo, tendrá la oportunidad de ingresar su(s) número(s) de identificación personal. Tanto el número de su Licencia de Conducir de Texas o de su Tarjeta de Identificación Personal de Texas COMO su número de Seguro Social deben estar asociados con su registro de votante para utilizar el Rastreador de Boleta por Correo. Una vez que su número de identificación personal sea validado por el Rastreador de Boleta por Correo, se procesará el Sobre de Envío que usted presentó previamente. Una vez que se haya revisado su acción correctiva, la fecha de revisión y el estado de su Sobre de Envío se mostrarán en el Rastreador de Boleta por Correo. No tiene que presentarse en persona en la Oficina del Secretario de Votación Adelantada si realiza su corrección en línea.

Para utilizar el Rastreador de Boleta por Correo, debe ingresar:

- Su Número de Licencia de Conducir de Texas o su Número de Tarjeta de Identificación Personal de Texas, Y
- Los últimos 4 dígitos de su Número de Seguro Social Y
- Su dirección de residencia tal y como figura en su registro de votante

Cancelación de Su Boleta Postal - Si no desea corregir el defecto, aún puede votar en persona cancelando su Boleta por Correo. Si cancela su Boleta por Correo en persona en la Oficina del Secretario de Votación Adelantada, se le entregará un Aviso de Boleta Postal Renunciada para que lo lleve a las casillas electorales. Esto le da derecho a votar con una boleta regular. Si no lo cancela en la Oficina del Secretario de Votación Adelantada, podrá votar con una Boleta Provisional en el lugar de votación. No podrá votar en persona después del Día de las Elecciones.

Si tiene alguna pregunta o duda sobre cómo hacer una corrección en su Sobre de Envío, póngase en contacto con la Oficina del Secretario de Votación Adelantada en:

(512) 238 - VOTE

1. Seamon

Nina Seaman, Presiding Judge

Número de Teléfono del Secretario de Votación Adelantada

Firma del Funcionario Electoral Revisor

Nombre del Funcionario Electoral en letra de molde

5501 Airport Boulevard Austin, TX 78751

Dirección de la Oficina del Secretario de Votación Adelantada

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Exhibit 132

NEW Vote by Mail Resources!

Did you know that <u>nearly 25,000 mail-in ballots were rejected</u> during the May Texas Primary Election? Do you want to help to minimize that happening again? We have a way to help make that happen!

After the alarming rate of rejected mail-in ballots, the <u>League of Women Voters of Texas</u> (LWVTX) went to work. We engaged the <u>Center for Civic Design</u> (CCD), to create easier to understand and use Vote by Mail materials. The LWVTX provided the background, knowledge, and content about Texas' ballot by mail laws and processes while CCD provided their expert design, usability, and accessibility skills.

We are making these new resources available to Election Administrators, political parties, and organizations!

The resources include download and print resources below include:

- Vote by Mail Application this new application is easier to understand and to fill
 out. Yes, it is valid to use this application! Per the Texas Secretary of State's
 website other vote by mail applications can be used as long as it has the
 necessary fields, which this does.
- How to Apply and Vote by Mail A double sided checklist. One side is for completing any vote by mail application, and the other side is for completing the ballot by mail carrier envelope. These were where the biggest issues in the past for people with the vote by mail
- Pocket Guide A foldable guide on how to voter by mail. Bookmarks Two sets of bookmarks with different quick tips on voting by mail.
- Door Hanger -Two sets of door hangers also with different quick tips on voting by mail.

All the resources can be found at <u>LWVTexas.org/votebymail</u> and listed below for your convenience.

Application to Vote by Mail (no branding as it is an application)

LWV Texas Branded

- How to Apply and Vote by Mail
- Pocket Guide How to Vote by Mail
- Bookmarks Vote by Mail
- Door Hangers Vote by Mail

Spanish, Chinese, Vietnamese

These are coming soon as CCD are still field testing them. We will post them on the LWVTexas.org/votebymail site when available.

Customizable

These can be updated with your organization's logo. Please don't change other content.

- How to Apply and Vote by Mail
- Pocket Guide How to Vote by Mail
- Boomarks Vote by Mail
- Door Hangers Vote by Mail

LWVTX and CCD hope you will use these new resources and help to reduce the number of rejected mail-in ballots and applications for the November general election!

Exhibit 133

From: Joyce LeBombard [jlebombard@lwvtexas.org]

Sent: 8/11/2022 3:34:41 PM

To: Diane Tasian [diane@thetasians.com]

CC: Dorothy Marchand [dmarchand@lwvtexas.org]; LWV Texas State Office [lwvtexas@lwvtexas.org]

Subject: Re: *Corrections* to New Vote by Mail Resources Links

Hi Diane.

Yes, this are being translated into Spanish, Vietnamese, and Chinese (Mandarin). I'm working on making them easier to get to on the website. And will share again with all the Leagues and our coalitions partners when we have the other versions in place.

Joyce LeBombard (she/her)

President, League of Women Voters of Texas

jlebombard@lwvtexas.org | 512-585-4090 (c)

Schedule a meeting with me: https://calendly.com/joycelebombard

LWVTexas.org & VOTE411.org

Empowering voters. Defending democracy.

On Thu, Aug 11, 2022 at 11:44 AM LWV Texas State Office < lwvtexas@lwvtexas.org> wrote: FYI!

Aileen McMurrer Executive Director

Empowering voters. Defending democracy.

1212 Guadalupe Ste 107 Austin, TX 78701 512-472-1100

lwvtexas@lwvtexas.org

----- Forwarded message -----

From: Diane Tasian < Diane@thetasians.com >

Date: Thu, Aug 11, 2022 at 11:41 AM

Subject: RE: *Corrections* to New Vote by Mail Resources Links

To: lwvtexas@lwvtexas.org <lwvtexas@lwvtexas.org>

Cc: Robin Lederer (robin1117@mac.com>, Barbara Larkin (barblarkin@tx.rr.com>, Shannon FitzGerald (sifitz2002@yahoo.com>, Norma

Arratia (narratia227@gmail.com) < narratia227@gmail.com>

Thank you Joyce!

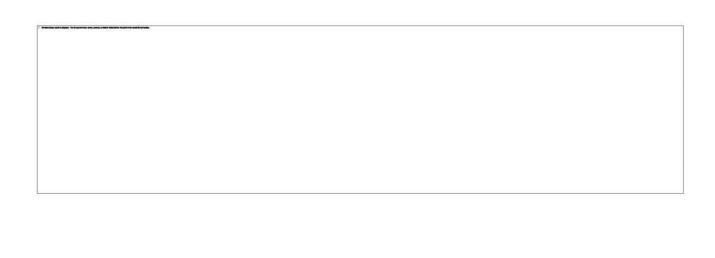
Will LWVTX be t	ranslating these into Spanish, Vietnamese and Chinese?				
Thanks,					
Diane diane@thetasians.c 214 850-7054	<u>com</u>				
From: Joyce LeBombard < lwvtexas@lwvtexas.org> Sent: Thursday, August 4, 2022 5:43 PM To: president@lwvdallas.org Subject: *Corrections* to New Vote by Mail Resources Links					
	View in your browser				
		Baltime, Baltime, Baltime, Baltime, Baltime	pare.		
Dear Diane,					

We discovered that the links for the new Vote by Mail resources we provided in the August 2022 Action News! were not working for everyone, so posted below are the updated links. You can also find them on our website here in the Vote By Mail dropdown menu under Handouts & Videos.

After the vote by mail problems during the 2022 Texas Primary elections, we worked with the <u>Center for Civic Design</u> to develop resources to help remedy some the issues we saw. We're happy to present our new vote by mail resources for you to print and share. Feel free to customize them with your local/county information and even your own organization's logo.

- Application to Vote by Mail (easier to fill out!)
- How to Apply and Vote by Mail (instruction checklist, double sided)
- How to Vote by Mail Pocket Guide (fold to create a small brochure)
- Vote by Mail Book Marks
- Vote by Mail Door Hangers

Thank you for your patience and understanding!



League of Women Voters of Texas

1212 Guadalupe St. #107 Austin Texas, 78701 (512) 472-1100

lwvtexas@lwvtexas.org



You have received this message from the mailing list of The League of Women Voters of Texas. If you would prefer not to receive these emails in the future, go to the <u>opt-out page</u> and modify your privacy settings. You can also request to be removed from our database completely.

Exhibit 134

From: Dorothy Marchand [dmarchand@lwvtexas.org]

Sent: 9/9/2022 9:42:49 AM

To: Grace Olivares [golivares@univision.net]; Fely Garcia Amador [efgarcia@televisaunivision.com]; Jessica Mendoza

[jemendoza@televisaunivision.com]

CC: Annie Benifield [anniebenifield@lwvhouston.org]; Claudia Ortega Hogue [claudiaortegahogue@lwvhouston.org];

LeBombard Joyce [jlebombard@lwvtexas.org]

Subject: Vote-by-Mail Education Materials - translated to Spanish

Hello Univision Friends,

The League has worked with the Center for Civic Design to pull together an improved version of the application to vote by mail, along with some vote-by-mail instructional materials. We just received the Spanish-translated versions. The Center for Civic Design has vetted these through several Spanish speaking groups in Texas. We thought you might find them helpful.

https://docs.google.com/presentation/d/1AGCcU9pP2tyj3dXGuBiGTM8OhxYyHs3l9A2aF_6_vFA/edit?usp=s haring

https://drive.google.com/file/d/15zE-l1NwaA08 ZBbwzmUgMD7YJANkQ2h/view?usp=sharing

https://docs.google.com/presentation/d/1_S2KAIY7tkWY1oDf-6UrgBc9nwsCqr1N5LDgdzeErlc/edit?usp=sharing

https://docs.google.com/presentation/d/1SSBZ3dw_n81xszox23Aj1eJ6NaATZxXHPqpKV77ghw8/edit?usp=sharing

Thank you!

Dorothy

Dorothy Marchand VP, Voter Education League of Women Voters of Texas 713-446-4297 LWVTexas.org VOTE411.org

From: Grace Chimene [gchimene@lwvtexas.org]

Sent: 9/13/2022 11:32:51 AM

To: Joyce LeBombard [jlebombard@lwvtexas.org]

Subject: Re: Please review and edit: TEV Guest Blog for Vote by Mail Resources

It has been edited.

Consider adding the VBM videos or a link to the YouTube page.

On Tue, Sep 13, 2022 at 11:13 AM Grace Chimene <gchimene@lwvtexas.org> wrote: I have time.

On Tue, Sep 13, 2022 at 10:42 AM Joyce LeBombard <<u>jlebombard@lwvtexas.org</u>> wrote:

Hi Grace.

Could you do me a favor and review/edit this? Dorothy is busy today and can't get to it. Please let me know if you can't do it and I will ask someone else.

Laura Yeager wants to share the vote by mail resource with the Texas Educator Votes coalition partners. She does this via a blog email to them. If you have the time, could you please review and edit it for me? If you don't have the time, please let me know so I can have someone else do it.

https://docs.google.com/document/d/1M7lHBJkYSYdPQahHutuur_TFJuTafWet0FBtFMMugyM/edit?usp=s haring

Joyce LeBombard (she/her)

President, League of Women Voters of Texas

jlebombard@lwvtexas.org | 512-585-4090 (c)

Schedule a meeting with me: https://calendly.com/joycelebombard

LWVTexas.org & VOTE411.org

Empowering voters. Defending democracy.

----- Forwarded message -----

From: Joyce LeBombard <ilebombard@lwvtexas.org>

Date: Tue, Sep 13, 2022 at 12:53 AM

Subject: Please review and edit: TEV Guest Blog for Vote by Mail Resources

To: Dorothy Marchand dmarchand@lwvtexas.org

Hi Dorothy,

Laura Yeager wants to share the vote by mail resource with the Texas Educator Votes coalition partners. She does this via a blog email to them. If you have the time, could you please review and edit it for me? If you don't have the time, please let me know so I can have someone else do it.

https://docs.google.com/document/d/1M7lHBJkYSYdPQahHutuur_TFJuTafWet0FBtFMMugyM/edit?usp=s haring

Joyce LeBombard (she/her)
President, League of Women Voters of Texas
jlebombard@lwvtexas.org | 512-585-4090 (c)
Schedule a meeting with me: https://calendly.com/joycelebombard
LWVTexas.org & VOTE411.org

Empowering voters. Defending democracy.

--

Grace Chimene (she/her)
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

Empowering Voters. Defending Democracy

__

Grace Chimene (she/her)
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

From: Laura Yeager [ljsydc@gmail.com]

Sent: 9/14/2022 4:48:16 PM

To: Laura Yeager [ljsydc@gmail.com]; Texas PTA President [president@txpta.org]; Josh Sanderson

> [josh@equitycenter.org]; Jan Friese [jan@txca.org]; Michelle Smith [msmith@ryht.org]; Christy Rome [christy@txsc.org]; Maggie Stern [mstern@childrensdefense.org]; Vincent Tovar [membership@masbatx.org]; Dorothy Marchand [dmarchand@lwvtexas.org]; Jaime Puente [puente@everytexan.org]; Libby Cohen

[lcohen@ryht.org]; Anita Jiles [anita@tepsa.org]; Michael Lee [tarsed@centex.net]; Tim Lee [tim@trta.org]; Jennifer

Harris [jharris@jwhcommunications.com]; Mary González [mary@masbatx.org]; Blake Cooper [blakewcooper82@gmail.com]; Lisa Losasso Jackson [lisa@wegopublic.com]; Heather Sheffield [hsheffield@plglaw.com]; Patrick Bresette [pbresette@childrensdefense.org]; Jennifer Esterline [jennifermesterline@gmail.com]; Anne Tiedt [atiedt@ryht.org]; Joan Randall [joan.randall@tasb.org]; Sylvia Wood [sylvia.wood@tasb.org]; Jennifer Storm [stormj@fotps.org]; Andrea Chevalier [achevalier@atpe.org]; Barry Haenisch [bhaenisch@tacsnet.org]; Joyce LeBombard [jlebombard@lwvtexas.org]; Charles Luke [charlesluke43@gmail.com]; Blake Powell [bpowell@pytlaw.com]; Grace Chimene [gchimene@lwvtexas.org]; TXCSS President [president@txcss.net]; Suzi Kennon [suzikennon@gmail.com]; Linsae Snider [Isnider@tspra.org]; Kristin McGuire [kristin@tcase.org]; Leigh Ann Glaze [tars@centex.net]; Graham Stephens [grstephens@dallasisd.com]; Dr. Greg Smith [gsmith@fastgrowthtexas.org]; Cameron Vickrey [cameron@proudlyrooted.com]; TCSS Curriculum Liaison [advocacy@txcss.net]; Charles Johnson [charlie@charlesfosterjohnson.com]; Lynn Boswell [lynn@villitamedia.com]; Theresa Parsons [theresa@tcase.org];

Laura Dupont [Irdupont@aol.com]; Kayci Meeks [kaycimeeks@thsca.com]; Margaret Beyer [margaretbeyer@thsca.com]; Renee Blackmon [pastpresident@txcss.net]; Julie Eichelbaum [jhe@edlaw.com]; Don Rogers [sdonr@aol.com]; Ann Hammond [lannhammond2016@gmail.com]; Monty Exter [mexter@atpe.org]; Mark

Wiggins [mwiggins@atpe.org]; Michelle Jackson [mjackson@txpta.org]; Kate Kuhlmann

[kkuhlmann@hillcopartners.com]; Jennifer Mitchell [jmitchell@atpe.org]; Brock Gregg [brock@trta.org]; Archie McAfee [amcafee@tassp.org]; RootEd [info@proudlyrooted.com]; Bill Tarleton [btarleton@txrea.com]; Tiffany Dunne-Oldfield [tiffany.dunne-oldfield@tasb.org]; Chandra Villanueva [villanueva@cppp.org]; Mark Terry

[mark@tepsa.org]; Heather Loomis [heather@tepsa.org]

Subject: TEV Update: Voting by mail in Texas

Attachments: vote by mail.png



Voting by mail in Texas

If you are planning to vote by mail for the November 8th election, it is time to apply and request your ballot. The League of Women Voters of Texas has created some fantastic resources to help voters understand the process. The last day that vote by mail applications can be received at your county elections office is October 28th, but don't wait. Do it soon!

Are you eligible to vote by mail?

Voting by mail in Texas is limited to voters who are:

- 65 years of age or older on Election Day;
- 2. Sick or disabled;
- 3. Expecting to give birth within three weeks before or after Election Day;

- 4. Absent from the county of registration during the Early Voting period and on Election Day;
- 5. Civilly committed under Chapter 841 of the Texas Health and Safety Code; or
- 6. Confined in jail, but otherwise eligible.

If you are eligible and decide to apply to vote by mail, read on for the League of Women Voters of Texas' guest blog on vote by mail!

NEW Vote by Mail Resources!

Did you know that <u>nearly 25,000 mail-in ballots were rejected</u> during the May Texas Primary Election? Do you want to help to minimize that happening again? We have a way to help make that happen!

After the alarming rate of rejected mail-in ballots, the <u>League of Women Voters of Texas</u> (LWVTX) went to work. We engaged the <u>Center for Civic Design</u> (CCD), to create easier to understand and use Vote by Mail materials. The LWVTX provided the background, knowledge, and content about Texas' ballot by mail laws and processes while CCD provided their expert design, usability, and accessibility skills.

We are making these new resources available to Election Administrators, political parties, and organizations!

The resources include download and print resources below include:

- Vote by Mail Application this new application is easier to understand and to fill out. Yes, it is valid to use this application! Per the Texas Secretary of State's website other vote by mail applications can be used as long as it has the necessary fields, which this does.
- How to Apply and Vote by Mail A double sided checklist. One side is for completing
 any vote by mail application, and the other side is for completing the ballot by mail carrier
 envelope. These were where the biggest issues in the past for people with the vote by
 mail
- Pocket Guide A foldable guide on how to vote by mail. Bookmarks Two sets of bookmarks with different quick tips on voting by mail.
- Door Hanger -Two sets of door hangers also with different quick tips on voting by mail.

All the resources can be found at <u>LWVTexas.org/votebymail</u> and listed below for your convenience.

Application to Vote by Mail (no branding as it is an application)

LWV Texas Branded

- How to Apply and Vote by Mail
- Pocket Guide How to Vote by Mail
- Bookmarks Vote by Mail

Door Hangers - Vote by Mail

Spanish, Chinese, Vietnamese

These are coming soon as CCD is still field testing them. We will post them on the LWVTexas.org/votebymail site when available.

Customizable

These can be updated with your organization's logo. Please don't change other content.

- How to Apply and Vote by Mail
- Pocket Guide How to Vote by Mail
- Bookmarks Vote by Mail
- Door Hangers Vote by Mail

LWVTX and CCD hope you will use these new resources and help to reduce the number of rejected mail-in ballots and applications for the November general election!

There is also a new <u>How To Return Vote by Mail Ballot video</u> with step-by-step instructions to assist eligible voters in this process.

Thank you to TEV partner, The League of Women Voters of Texas, for helping voters follow the rules to ensure their ballots are counted and their voices are heard!



Onward!

Laura Yeager Texas Educators Vote

Exhibit 135



Steps to Voting by Mail in Texas

For eliqible Texas voters who want to safely vote from home

Apply

Who can vote by mail?

Those who are:

- 65 years or older
- Sick or disabled
- Out of the county during early voting and election day
- In jail or Involuntary Civil Commitment but otherwise eligible to vote
- Expecting to give birth within three weeks before or after election day.
- To Vote by Mail because you are sick or disabled, you must affirm
 the following: "I have a sickness or physical condition that prevents me
 from appearing at the polling place on election day without a likelihood
 of needing personal assistance or injuring my health."

Where to get a Vote by Mail application

- · Request an application from your County Election office.
- At <u>VoteTexas.gov</u>, print the Vote by Mail application in <u>English</u> or <u>Spanish</u>. Fill out, sign, and mail to your Early Voting Clerk in the county where you are registered to vote.

Tips for filling out the VBM application

Read all the instructions provided on the back of the application

Sec. 1 - Provide contact information so that the Elections Department can reach you if they have a concern so that the approval of the application is not delayed.

Provide Your ID number from:

- A Texas Driver license
- A Texas Personal ID
- Election Identification Certificate
- or, if none of these has been issued, then the last four of your Social Security number.
- Use the same ID number on the Vote by Mail application and the ballot carrier envelope that you used for your voter registration.

Sec. 2 - Provide the address where the ballot is to be mailed.

Sec. 3 - Voters with disabilities check the box marked disability.

Sec. 4 - If you are 65 years or older, or are sick or disabled, mark the box for "Annual Application".

- If you are out of the county (where you are registered to vote) during early voting and on Election Day, mark which election you are applying to Vote by Mail.
- Mark your party of choice to vote in the Primary Election and runoff.

Sec. 5 - Don't forget to sign the application.

Sec. 6 - If the voter is unable to sign the application follow the instructions for witnessing a signature.

 Persons who assist voters with a Vote By Mail application must provide their name and address.

Deadline

 Applications must be received (not postmarked) at your county election office by the application deadline.

Vote

Tips for filling out and submitting my ballot

- Research your candidates with the League's nonpartisan Voters Guide at <u>VOTE411.org</u>.
- Mark your ballot using a black or blue pen
- Place your ballot in the ballot envelope and seal it
- Place the ballot envelope in the carrier envelope
- Complete all information on the carrier envelope, seal it, and sign the flap of the carrier envelope.
- Provide your ID number from:
 - A Texas Driver license
 - A Texas Personal ID
 - Election Identification Certificate
 - or, if none of these has been issued, then the last four of your Social Security Number.
- Use the same ID number on the Vote by Mail application and the ballot carrier envelope that you used for your voter registration.
- Don't forget to sign the carrier envelope with the same signature you used on your application.
- Mail in your ballot as soon as possible. It must be received at your county election office by 7:00 p.m. on Election Day.
- You may use the US Postal Office or common carriers such as Fed Ex, UPS or DHL to mail your ballot.

What if I want to hand-deliver my ballot?

- You may hand-deliver your marked ballot in person to the county election office on Election Day while polls are open.
- You must show your photo ID.

What if I decide to vote in person instead.

- Take your Vote by Mail ballot with you to the polling station and turn in to the voting clerk. You will be allowed to vote a regular ballot.
- If you lose or forget your Vote by Mail ballot, you may cast a provisional ballot.

For more information, review the Secretary of State's information provided in your Vote by Mail ballot package.

Persons who assist a voter with the Vote by Mail ballot must:

- Provide their name and relationship to the voter
- · Provide their address
- Sign an oath
- Mark that they didn't receive compensation.

The cure process

 If you provide contact information, the Elections Department may reach out to you if they have a concern with your ballot.

Track your Vote by Mail application and ballot online

VoteTexas.gov

Need help?

- Election Protection Hotline 866-687-8683 866ourvote.org
- The Secretary of State votetexas.gov (800) 252-VOTE



Register to Vote in Texas

Be a Texas voter!

How do I check if I am registered to vote?

 Check your voter registration status at <u>votetexas.gov</u> Am I Registered? or check with your county voter registrar.

Who can register to vote in Texas?

- A citizen of the United States,
- · A resident of the county, and
- 17 years 10 months old (to vote you must be 18 years old on Election Day)
- You must not have been declared mentally incapacitated by a court of law
- If you have been convicted of a felony, you may register to vote only
 after you have completed the punishment phase of your conviction,
 including any terms of incarceration, parole, supervision, or period of
 probation ordered by the court.

How do I register to vote in Texas?

- If you are a new Texas voter, print and fill out the Voter Registration
 Form or pick one up at a library, government office, or high school! Fill
 out, sign, stamp, and mail-in or turn in to your county election office.
- Call your county voter registrar and ask for a voter registration application to be mailed to you.
- Volunteer Deputy Registrars are certified by each county to help voters register to vote. Ask your Local League of Woman Voters for help.
- · You do not need to register before every election.

When is the last day to register to vote in an election?

- Applications must be at your county's Voter Registrar's office or postmarked by 30 days before an election.
- If your voter registration effective date is before the Election Day, you
 may vote any day during early voting.

When will I receive my voter registration card?

- You should receive a voter registration card in the mail within one month! If you don't, check here to see if you are registered or call your county's Voter Registrar's office.
- New voter registration cards are mailed to registered voters every odd year.

I'm already registered! How do I update my voter registration?

- If you moved or changed your name update your voter registration at <u>VoteTexas.gov</u> or <u>texas.gov</u>.
- · You will need your
 - A Texas Drivers License or Texas Personal ID
 - · Your Social Security number.
 - Voter Registration Card VUID (Voter Unique Identifier) number.
 Find your VUID number on your voter registration card, at "Am I Registered" at VoteTexas.gov, or by calling your county voter registrar.
- Update your driver's license online and your voter registration at the same time!
- Fill out a new paper voter registration application!

Need help?

- Election Protection Hotline 866-687-8683 866ourvote.org
- The Secretary of State votetexas.gov (800) 252-VOTE
- For voter ID issues contact voteriders.org 844-338-8743

Exhibit 136

Empowering Voters. Defending Democracy

Tips for Voters New Election Laws 2022









2022 Primary Election - Key Dates



VOTE 411

- Last day to register to vote or change address
 January 31
- First day to vote early in person February 14
- Last day to apply for vote-by-mail ballot February 18
- Last day to vote early in person February 25
- Election Day and vote-by-mail ballot receipt deadline
 March 1

VOTE411.org LWVTexas.org



NEW!

Update your Voter Registration Online

 If you moved or changed your name, update your voter registration online at <u>texas.gov</u> or <u>votetexas.gov</u>

Sec.15.021(SB1)



https://www.texas.gov/living-in-texas/texas-voter-registration/#update-voter-name-or-address

Login Information		
1 Texas Driver License or Identification Number		Required. (8 to 10 digits)
Date of Birth		Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number		Required.
2 DPS Audit Number		Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)		Required. (10 digits)
County Name	Select County	Required.

I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.



Drivers License Number





https://www.texas.gov/living-in-texas/texas-voter-registration/#update-voter-name-or-address

Login Information		
1 Texas Driver License or Identification Number		Required. (8 to 10 digits)
Date of Birth		Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number		Required.
② DPS Audit Number		Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)		Required. (10 digits)
County Name	Select County	Required.

I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.



DPS Audit Number





Voter Unique Identifier (VUID)

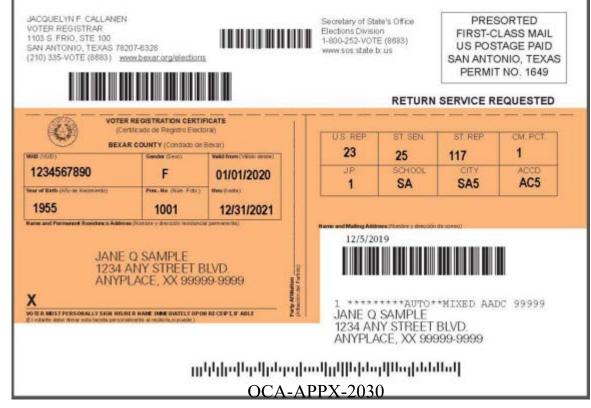
Login Information		
1 Texas Driver License or Identification Number		Required. (8 to 10 digits)
Date of Birth		Required. (MM/DD/YYYY)
Last Four Digits of Social Security Number		Required.
② DPS Audit Number		Required. (Enter the Audit Number as it appears on your card.)
3 Voter Unique Identifier Number (VUID)		Required. (10 digits)
County Name	Select County 🗸	Required.

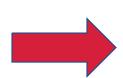
I understand that my personal information, including my Texas Driver's License and the last four digits of my Social Security number are being used to update my current voter registration.



Voter Unique Identifier (VUID)

Find your VUID number on your voter registration card at, "Am I registered?" at <u>votetexas.gov</u>, or call your county voter registrar.







NEW! Student Voters

For college student voters living away from home, it is safest and easiest to register and vote at your college residence address.

Sec. 1015 (SB1111)





NEW! For Voters Without a Residence

- In the space on the registration form for residence address, it's safest to put the street address of an agency where you receive aid.
- In the space for mailing address, if you have one, put the P.O. Box where you receive your mail.



Sec. 15.051 - 15.054 (SB1111)



NEW!

Early Voting

Small counties now provide longer hours for early voting.

85.005 (SB1)





Who else qualifies?

 Voters expecting to give birth within three weeks before or after election day Sec 82.02 (HB 3920)

Organizations & Leagues

 Counties may not provide applications to organizations. But Leagues can order from the Secretary of State's office or print VBM applications to share with voters.

Sec. 84.001(SB1)





Voters

 Request a VBM application from your county election office

Sec. 84.001(SB1)

 Provide Voter ID number (TXDL, Personal ID, EIC Number or, if not available, the last four digits of SSN) on your VBM application and VBM ballot carrier envelope

84.002 (SB1)

 Use the same Voter ID number on your voter registration application, VBM application, and VBM carrier envelope.





Texas Driver's License, Texas Personal Identification Number or Election Identification Certificate Number issued by the Department of Public Safety (NOT your voter registration VUID#)

If you do not have a Texas Driver's License, Texas Personal Identification Number or a Texas Election Identification Certificate Number, give the last 4 digits of your Social Security Number

☐ I have not been issued a Texas Driver's License/Texas Personal Identification Number/Texas Election Identification Certificate or Social Security Number

VBM Application

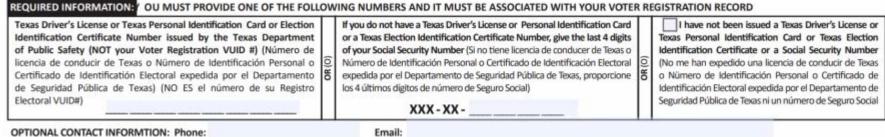
Voters

Use the same Voter ID number on your

- Voter registration application
- VBM application
- VBM carrier envelope.

For the Cure process

Provide contact information on your VBM carrier ballot so the county may contact you if you need to fix an error with your application or ballot.





VBM Carrier Envelope



VBM tracker

 Track your VBM application and VBM ballot throughout the election process

Cure process

- Provide contact information on your VBM application so the county may contact you if you need to fix an error with your application or ballot.
- Turn your VBM ballot in early so your county may contact you if there is an error with the application.



Sec. 86.015 (HB 1382)

Last, Residence Address as shown on y	First,	ficate	Middle	Suffix (Jr., Sr
Residence Address as shown on y	our voter negistration certi	ncate		
Address: Street	Apt. # (if any)	City	State	Zip Code
Optional Information: Providing t	his information is helpful to t	he Early Voting Clerk,	but not required.	
Date of Birth://_	VUID #:		Pct#:	
Email:		Tel. #:_		

Provide your contact information on your application to VBM and the VBM ballot carrier envelope

NEW! Poll Watchers

- Required to take training
- Sign an oath
- Have fewer restrictions on movement and observation.

Sec. 33.051 (SB1)

"I swear (or affirm) that I will not disrupt the voting process or harass voters in the discharge of my duties."



NEW! Assisting Voters

Persons who assist voters
with a VBM application,
VBM ballot, or in-person
ballot must provide their
relationship to the voter and
address, and for the VBM
ballot sign an oath, and
mark that they didn't receive
compensation.

Sec. 84.011(SB1

 Persons who drive 7 or more voters who qualify for curbside voting must sign a form which is shared with the Secretary of State and the Attorney General's office. Sec.64.009 (SB1)



"I swear (or affirm) under penalty of perjury that the voter I am assisting represented to me they are eligible to receive assistance;

I will not suggest, by word, sign, or gesture, how the voter should vote;

I will confine my assistance to reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot;

I will prepare the voter's ballot as the voter directs;

I did not pressure or coerce the voter into choosing me to provide assistance;

I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs;

OCA-APPX-2039

I will not communicate information about how the

Oath & Compensation

to receive assistance; I will not suggest, by word, sign, or gesta ballot to the voter, directing the voter to read the ballot, marking the voter's ballot as the voter directs; I did not pressure or consemployer, an agent of the voter's employer, or an officer or an information about how the voter has voted to another person for assistance, the voter's ballot may not be counted." Jurame perjurio que el votante al que estoy asistiendo me representó que como debe votar el votante; limitaré mi asistencia a leer la bolet votante o dirigiendo al votante a que marque la boleta; preparar al votante para que me eligiera como asistente; no soy el emple: de un sindicato al cual el votante pertenece; no comunicaré info se proporciona asistencia a un votante que no es elegible para o lifyou are an assistant, provide information below: (Si usted es un bid you receive compensation or other benefit from a cassistance? Circle one: Yes No	by of perjury that the voter I am assisting represented to me they are eliging, how the voter should vote; I will confine my assistance to reading give, how the voter should vote; I will confine my assistance to reading give voter's ballot, or directing the voter to mark the ballot; I will preprete the voter into choosing me to provide assistance; I am not the voter eliging the voter into choosing me to provide assistance; I will not communic and I understand that if assistance is provided to a voter who is not eliging to de la Persona Asistiendo al Votante: "Yo juro (o afirmo) bajo pena se es elegible para recibir asistencia; no sugeriré, con palabra, señal, o ge al votante, dirigiendo al votante a que lea la boleta, marcando la boleta é la boleta del votante según lo indique el votante; no presioné ni coaccis dor del votante, un agente del empleador del votante, o un oficial o agermación sobre cómo el votante ha votado a otra persona; y entiendo que ecibir asistencia, la boleta del votante podría no ser contada." In asistente o testigo, marque la casilla correcta y proporcione su informacion andidate, campaign or polítical committee in exchange for providing or, campaña o comité político a cambio de brindar asistencia?	Completed by Early Voting Clerk ate ble ide sto, del one	cción):
Printed Name (Nombre en letra de molde)	Signature (Firma)	Signature (Firma)	Printed Name (Nombre en letra de molde)
Relationship to Voter (relacion al votate)	Street Address (Domicilio residencial)	Street Address (Domicilio residencial)	



•Sec.86.0105 (SB1)

How you can help

Share trusted resources

- Print Vote by Mail handout 2022
- Video <u>Susan SharesTips for Filling out the application to Vote by Mail</u>
- Video <u>Susan SharesTips for Voting by Mail</u>
- Video <u>How to Vote by Mail Texas Style</u>

Volunteer for Election Protection.

- NAACP LDF is providing training for folks who live in East Texas https://secure.everyaction.com/urmz7w ZYUyrhRyZOe1Ruw2
- Common Cause is offering training for Texas Election protection volunteers https://www.mobilize.us/protect-the-vote/event/436853/?utm_source=lwvtx

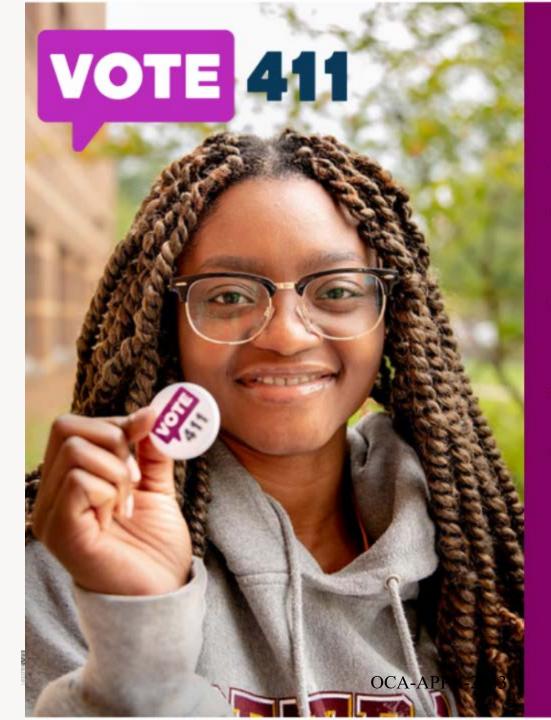


Resources

- <u>LWVTexas.org</u>
 <u>VOTE411.org</u>,
- Election Protection
 https://866ourvote.org/state/texas/
 866-687-8683
- Texas Secretary of State <u>VoteTexas.gov</u> (800) 252-VOTE







WHAT IS ON YOUR BALLOT? VOTE411.ORG

VOTERS GUIDE - BY THE LEAGUE OF WOMEN VOTERS EDUCATION FUND



Exhibit 137

From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene < gchimene@lwvtexas.org > [gchimene@lwvtexas.org]

Sent: 1/15/2022 11:25:09 AM

To: Valerie DeBill [Vdebill@lwvaustin.org]

CC:



Subject: Re: Voter Education Information! - folks are using the wrong ABBM forms!

Thank you, Valerie
Stay calm. Offer trusted League information.
Share the Election Protection number information.

If League members are impacted or those we help, ask if we can share their names and contact information our lawyers. Send me the information.

There is League litigation on this subject.

On Sat, Jan 15, 2022 at 11:14 AM Valerie DeBill < vdebill@lwvaustin.org > wrote:

I've been reaching out to community groups to get them to help with messaging. I haven't heard back from most of them yet, but it is a long weekend so I'm not exactly surprised.

On Sat, Jan 15, 2022 at 11:07 AM Grace Chimene <gchimene@lwvtexas.org> wrote:

We have put that out on social media.

We will try again.

Thank you,

Grace

On Sat, Jan 15, 2022 at 10:27 AM Diane Tasian < <u>Diane@thetasians.com</u>> wrote: Dear Dorothy and Grace,

Please rush a social media campaign that we can share with everyone about using the Correct ABBM form. That is not covered in the one pager you just sent. We are finding that the old form is being spread far and wide by churches, mosques, temples, neighborhood orgs etc. Nor is it addressed directly in the first VBM video. (Disclaimer: I have not yet taken the time to watch all of the videos or read all of the links in Dorothy's email yet.) One of the problems is that the old form is what was coming up when folks did internet searches. They did not know to be careful to use the new form which requires the drivers license number or last four of their social. I have attached the ones in English from Dallas County Elections Dept and English and Spanish linked on our website.

If one of the links in Dorothy's email and one pager addresses this directly please point us to it so we all can save a bit of time. This is an opportunity the elections administrators can't easily solve. **But we can** by getting the word out.

BTW: yesterday I tried to update my name and address info on the SOS website and it wasn't working properly and did not save my information!

Thanks,

Diane Tasian

diane@thetasians.com

League of Women Voters of Dallas

President

president@lwvdallas.org

www.lwvdallas.org

lwvtexas.org/take-action

Empowering Voters. Defending Democracy.

From: Dorothy Marchand < dmarchand@lwvtexas.org >

Sent: Friday, January 14, 2022 2:50 PM

To:



Subject: Voter Education Information!

Good afternoon to all,

I am sure you all have read about the high rate of rejection of Vote by Mail applications in certain counties. It is important that we provide our communities with Voter Education information about the new Vote by Mail application and process. We have created some Voter Education resources you might find helpful.

Videos:

VBM

https://youtu.be/QXb7qMTMCNc https://youtu.be/Tjq9Td91omo

Register to vote

https://youtu.be/-E20ZN60IM8

And some flyers:

https://docs.google.com/document/d/17E3rIW5601iUIkazhz1sfkJtQyi hlSs6xWkNLPrxKk/edit?usp=sharin g

https://docs.google.com/document/d/1jWEmMEAdPENoAGmLXTMc9c9v-arKehquMJOl6MYXBPk/edit?usp=sharing

There are more videos on the LWVTX YouTube channel. We will be posting information on social media, please share widely!

Thank you, have a wonderful weekend!

Dorothy Marchand VP. Voter Education

League of Women Voters of Texas

Empowering Voters. Defending Democracy

--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org

LWVTexas.org & VOTE411.org

Empowering Voters. Defending Democracy

--

Valerie Merriam DeBill (she/her)

Voter Registration & Turnout Director League of Women Voters - Austin Area

vdebill@lwvaustin.org |



Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

Exhibit 138

From: Joyce LeBombard [jlebombard@lwvtexas.org]

Sent: 8/19/2022 11:12:21 PM

To: Dorothy Marchand [dmarchand@lwvtexas.org]
CC: Aileen McMurrer [amcmurrer@lwvtexas.org]

Subject: Website Updates for the New Vote by Mail Resources

PS - all the documents are linked to a new folder I made in Education > Document/Publications on the website. I had to put them there instead of the ClubExpress Document Library because of the customizable one.

Joyce LeBombard (she/her)

President, League of Women Voters of Texas

jlebombard@lwvtexas.org | 512-585-4090 (c)

Schedule a meeting with me: https://calendly.com/joycelebombard

LWVTexas.org & VOTE411.org

Empowering voters. Defending democracy.

Exhibit 139

From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene < gchimene@lwvtexas.org > [gchimene@lwvtexas.org]

Sent: 6/17/2022 9:07:45 AM

To: Joyce LeBombard [ilebombard@lwvtexas.org]

Subject: Fwd: Voter Education

Here is a presentation from February on the new voting laws. It would need links to the new voter education we have been working on. https://docs.google.com/presentation/d/1DaRRiI4gykGDvB5fZBUv3mS-Y2z1OETVhB2zWeLemco/edit?usp=sharing

----- Forwarded message -----

From: Grace Chimene < gchimene@lwvtexas.org>

Date: Fri, Jun 17, 2022 at 9:00 AM

Subject: Voter Education

To: Casey Thomas < , Dorothy Marchand < <u>dmarchand@lwvtexas.org</u> > , Joyce

LeBombard <ilebombard@lwvtexas.org>, Elisabeth Macnamara <egmacnam@gmail.com>

Question from Casey Thomas Texas NAACP Advocacy

Who would be a good person with the League to do a voter education forum on the new laws and the rules for applying for a vote by mail application?

Introduction:

Dorothy Marchand LWV Texas Voter Education Joyce LeBombard LWV Texas President Elisabeth MacNamara LWV Texas Advocacy Chair

Casey,

That is a good question. LWV Texas just changed over to new leadership. Joyce, Elisabeth, or Dorothy should be able to answer that question. The League had several webinars on the new election laws earlier in the year.

We are working on some great Vote by Mail voter education material. You can find videos and printable material on our <u>Vote by Mail page</u>. We are working with the Center for Civic Design on improved VBM envelopes. Our contact in Texas with CCD is Asher Kolieboi <u>asher@civicdesign.org</u>.

Keep up the good work.

If you don't hear back or need more information, let me know.

Grace Chimene (she/her)
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

Empowering Voters. Defending Democracy

--G

Grace Chimene (she/her)
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

Empowering Voters. Defending Democracy

1/19/2027 CNUONIGE HUNDA

Right to a mail ballot may hinge on number

By Grace Chimene

Do you remember what identification number you used when you registered to vote? No one does, and that number should not prevent you from voting by mail. The latest mail ballot application debacle could be foreseen when the Texas Legislature persisted in making our complicated voting system even harder. Despite a smooth 2020 election, our Legislature enacted ever more restrictive voting laws.

The issue at stake here is a new required voter ID on the application. Voters must provide their Texas driver's license number or Texas ID number. If they do not have one of these, they provide the last four digits of their Social Security number. The tricky part is found on the back of the application in the fine print: "If you have been issued one of the required numbers, but it is not associated with your voter registration record, please contact your local registrar to inquire about how to add one of the required numbers to your voter registration record."

Applications are being rejected due to a new law that requires the voter ID on the application and the ballot to match the voter ID provided when voters registered to vote. Who remembers that number? A ballot by mail is mostly used by voters over the age of 65 and persons with disabilities. These vulnerable communities are going to be disenfranchised by this new law when many have been voting by mail for years with no problem.

John B. Scott, the Texas secretary of state, stated in a recent press announcement that he was "surprised" to learn of the massive rejection numbers reported by various counties. There should be no surprise. The League of Women Voters of Texas and many other voting advocates warned the Legislature about the anticipated consequences of the new voting law during the legislative session. The League also warned the Secretary of State's office many times since December about the lack of up-to-date voter education information on the secretary of state's website votetexas.gov.

The Legislature passed this law complicating our voting process. State leaders, such as the secretary of state, should not blame county election offi-



Marie D. De Jesús / Staff file photo

Now, the voter ID on the application and mail ballot must match the voter ID provided when voters registered to vote.

cials for the high number of vote-by-mail applications being rejected. It is the secretary of state's job "as Chief Election Officer for Texas" to assist county election officials and ensure the uniform application and interpretation of election laws throughout Texas.

We applaud a related new law that allows voters to track your ballot online. Yet the vulnerable communities whose applications for a ballot by mail are being rejected might find little comfort in the new online tool. The online tracker also requires voters to provide voter ID numbers and presumes internet service.

Blame your legislators for the confusing new voting laws. Blame the secretary of state for not updating the publicfacing votetexas.gov website. But don't blame your county election official, and certainly not the voters who depend on voting by mail to get their voices heard. Demand that state leaders review the mail ballot application process and provide explicit instructions to county election officials and voters to mitigate the massive rejection numbers. For now, share trusted voter education resources found at LWVTexas.org and call lawyers at Election Protection at 866-687-8683 if you need help or your application for a ballot by mail has been rejected.

Grace Chimene is the president of the League of Women Voters of Texas.



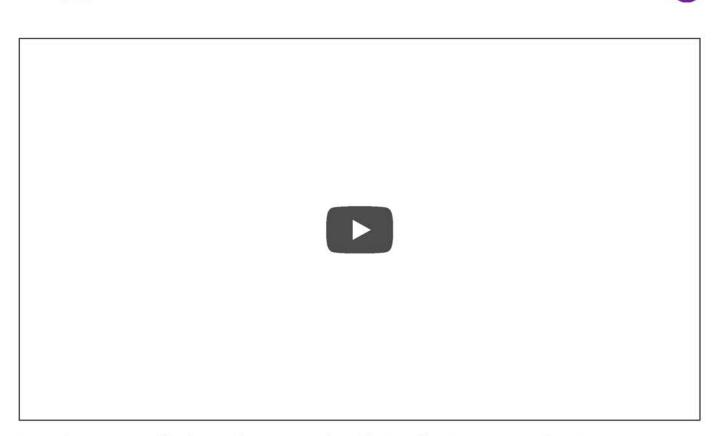






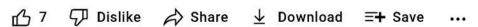


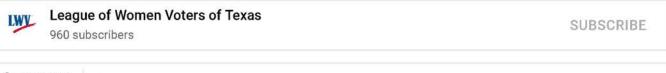




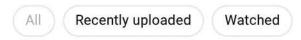
Complete Your Ballot by Mail Texas Style with Step by Step Instructions!

543 views Feb 3, 2022 New election laws mean new procedures for completing your ballot by mail. Watch the step-by-step video to learn more about the required Voter ID numbers and t....more











Absentee Ballot Behind-the-Scenes

AnokaCountyMN 3.7K views • 1 year ago

The Best of Piano: The most beautiful classical piano pieces for relax & study



Rousseau **⊘** 13M views • 1 year ago















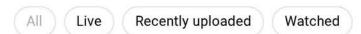


Susan SharesTips for Filling out the application to Vote by Mail

491 views Jan 5, 2022 2022 new election law means a new application to vote by mail. Susan shares tips from the League of Women Voters about how to fill out the application.









Live: White House press secretary Jen Psaki holds briefing

The Independent
896 watching

LIVE NOW

The Best of Piano: The most beautiful classical piano pieces for relax & study



Rousseau **⊘** 13M views • 1 year ago



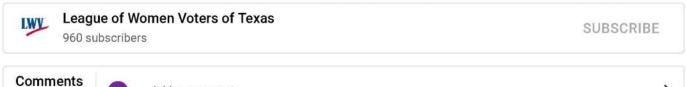


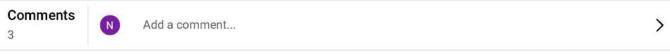


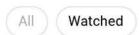
How to Vote by Mail Texas Style

777 views Jan 2, 2022 The application to Vote by Mail changed in 2022 with the passage of new election laws. The League of Women Voters offers tips on how to fill out the application tomore











Military and Overseas Voting by Mail for Texas Voters

Vote Texas **⊘** 11K views • 9 years ago

The Best of Piano: The most beautiful classical piano pieces for relax & study



Rousseau **⊘** 13M views • 1 year ago

TEXAS LEAGUES

Amarillo Austin Area Bay Area Baytown Brazos Valley Cy-Fair Collin County Comal Area Cooke County Corpus Christi Dallas Denton El Paso Fort Bend County Hays County Hill Country Houston Irving **Lubbock County** Midland Montgomery County Richardson Rio Grande Valley San Antonio Area South Central Texas Southwest Texas **Tarrant County** Tyler/Smith County Victoria Waco Area Wichita Falls

Williamson County

2022 Impact Report

Together We Are Stronger



While the League's history has not always reflected this truth, we have learned over our 103 years that together we are stronger. We have learned that together our knowledge and experiences are broader and more profound, our voices are louder, our outreach is greater, and our actions are more powerful.

This year we seated our most diverse board of directors with a broad range of experience, skill sets, ethnicities, and perspectives. This strengthens our capabilities, decision-making, and outreach. Together we are stronger.

We are proud of our work in collaboration with other nonpartisan organizations representing a wide range of communities - Black, Latinx, people with disabilities, students, and rural voters. Yet we know we must expand this network to uplift their outstanding work and to reach more voters. Together we are stronger.

To fully achieve our mission, we must build upon and strengthen our commitment to Diversity, Equity, and Inclusion in everything we do. Our <u>five-year strategic plan</u> demonstrates this commitment. Because together we are stronger.

Joyce LeBombard, President, League of Women Voters of Texas







Empowering Voters, Defending Democracy.

IMPACT REPORT



Social Media Outreach since Jan. 2022



Facebook

- Followers- 13,935
- Overall Reach- 155,326
- Increased monthly reach from ~12,000 to ~42,000

Twitter

- Followers- 5,508
- Impressions- 460.3K
- Profile Visits- 61,136



Instagram

- Followers 4,069 (~1,000 new followers this year)
- Reach- 8.891
- Profile Visits-4,318

YouTube

- Subscribers- 1,181
- Views- 66.7K
- Watch Time- 1.9K hours



LinkedIn

- Followers- 176
- Page Views- 303, an increase of 1.112%
- Unique Visitors- 148, an increase of 1,544.4%

TikTok

We created an account on TikTok on October 10, 2022. Since then, we've posted 7 videos, gained 26 followers, and gotten 29 likes.



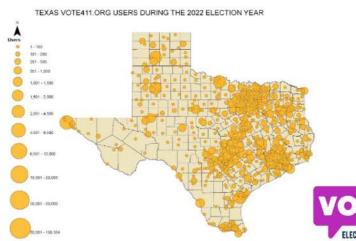
Empowering Voters

Voters Guide & VOTE411

In 2022, our nonpartisan Voters Guide was used over 1 million times!

We published four *Voters Guides*: Primary and Runoff Elections, Special Constitutional Amendment Election, and the General Election.

- Distributed nearly 80,000 printed Guides and 24,000 bookmarks in English and Spanish to over 160 public libraries and other locations for the Primary & General Elections combined.
- A printable PDF version of the Guide was provided via email and on our website for all four elections.
- The Guide was available on VOTE411.org in four languages English,
 Spanish, Simple Chinese, and Vietnamese.





New Vote By Mail Application

In partnership with the Center for Civic Design, we created a new vote-by-mail application with instructions that are easier to use and understand. We also developed new Voter Education material including videos to educate voters on how to complete the new vote-by-mail application and ballot carrier envelope. You can view and download these resources at lwvtexas.org/votebymail.

County Website Review

We completed two reviews of election websites for all 254 counties and the SOS! The first review was before the Primary Election and the second was before the General Election. We expanded our criteria this year to include changes required by SB1, the major elections bill that went into effect for the 2022 elections. Thirty-six counties received an outstanding ranking for the General Election. This is down from prior reviews likely due to the decreased funding and increased workload stress put upon our elections offices. You may read the results at lwvtexas.org/find-your-county-election-website



Supporting Our Election Administrators

LWVTX honored County
Election Administrators Heider
Garcia, Isabel Longoria, Michael
Scarpello, and Bruce Sherbet at
the Women Power the Vote ~
A Making Democracy Work
Dinner. Isabel Longoria was the
keynote speaker.











Defending Democracy

Moore v. Harper Amicus Brief & Lawsuits

We continue to fight to defend our democracy even when the Texas Legislature is not in session:

- LWVTX joined LWVUS and 50 other Leagues in filing an amicus brief for Moore v. Harper, one of the greatest threats to our democracy in our time.
- We provided depositions on Texas Senate Bill 1 (SB1) and redistricting suites.
- We joined in filing multiple other suits, all of which suppress the vote of people of color, people with disabilities, students, senior citizens, or people who are economically disadvantaged.



Assault Rifle Webinar

With our state partners of NAACP and LULAC, we hosted an "Assault Rifles - What Can Be Done?" webinar with over 400 attendees from across the state. LWV Texas followed up the webinar with an Action Alert - Support the "Well Regulated" Part of the Second Amendment - calling for a special session. You may view the webinar at www.youtube.com/lwvtexas

IMPACT REPORT



BOARD OF DIRECTORS

<u>President:</u> **Joyce LeBombard** (Austin Area) <u>Vice Presidents:</u>

Elisabeth MacNamara (Collin)-Advocacy,
Dorothy Marchand (Austin Area)-Voter
Education, Charlotte McKenzie (Collin)-Service
to Local Leagues, Deb Treece (Texas)Development

Directors:

Diane Gil (Tarrant), Julie Espinoza (Collin), Pamiel Johnson (Houston), MaryJane Mudd (Houston), Janis Richardson (South Central Texas)-Secretary, Stephanie Swanson (Austin Area), Linda Vaughn (Amarillo), Elaine Wiant (Dallas)-Treasurer

STAFF

Aileen Jacinta McMurrer, Executive Director Joleen Smith, Communications Breezie Reeves, Data Manager

1212 Guadalupe Street, Suite 107 Austin, TX 78701 512-472-1100 lwvtexas@lwvtexas.org www.lwvtexas.org

LWVTX is a 501(c)(3) nonprofit non-partisan citizen education and research organization that promotes participation in government and seeks to influence public policy through education and advocacy. The League neither supports nor opposes political parties or candidates..

Organizational Capacity

New Staff

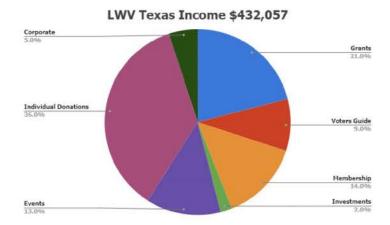
We hired two employees, one full-time and one part-time, with a focus on communications strategy and data/website management to expand our outreach to a broader audience.

Supporting Local Leagues

- Provided 18 grants totaling \$20,000 to expand local voter registration and get-out-the-vote efforts.
- Provided a variety of training including board, communications, and fundraising.
- Held regular local League networking groups for Presidents,
 Voters Service, Membership, Communications, and Treasurers

Financial Report

We raised more money than we spent, which gives us continued financial stability going into 2023 and beyond.





Mickey Raphael-League of Women Voters PSA 1 - Early Voting

Begin: Mickey plays a few bars of "On the Road Again" on the harmonica.

Mickey: Hi. I'm Mickey Raphael, a proud, native-born Texan and a member of Willie Nelson's band for almost 50 years.

My band members and I are firm believers in this country's democracy and the freedom to vote. I come to my beliefs naturally. My mother was a life-long member of the League of Women Voters, a nonpartisan organization that works hard to promote democracy by defending and expanding the right to vote.

So, on behalf of my late mom, here's what I want you to know:

Election Day is Tuesday, November 8th. Texans will pick their U.S. congresspeople, top state officials, and folks in races all the way down to local dog catcher.

If you can, please don't wait until Election Day to vote, when the lines are long, and something may happen, like y'all get sick or a flat.

Early Voting starts October 24th. That's right, October 24th. Check out your county's election department website — or give them a quick call —to find out the days and times for early voting and where you can cast your ballot.

I appreciate you taking the time to listen to this public service announcement. And mom, thanks for making me a lifelong voter and a proud defender of our democracy.

Final Shot: (we'll take care of this): For more information on voting, candidates, and the upcoming election, check out VOTE411.org

Mickey Raphael - LWV PSA 2 - mail in voting

Begin: Mickey plays a few bars of "On the Road Again" on the harmonica

Mickey: Hi. I'm Mickey Raphael, a proud, native-born Texan and a member of Willie Nelson's band for almost 50 years.

My band members and I are firm believers in this country's democracy and the freedom to vote. I come to my beliefs naturally. My mother was a life-long member of the League of Women Voters, a nonpartisan organization that works hard to promote democracy by defending and expanding the right to vote.

Here's what my late mom would want you to know about the November 8th election and voting by mail:

Texans will pick their U.S. congresspeople, top state officials, and folks in races all the way down to local dog catcher.

You can vote by mail if you are 65 or older, disabled, or out of town during early voting and election day. But you have to apply.

To get an application for a vote-by-mail ballot, you can call your county elections office or print out an application from LWVTexas.org. Now, this is important: The application will ask for your driver's license number OR the last four digits of your social security number. The League of Women Voters recommends you give them both.

After you finish filling out the application, be sure to sign it! The last day your application can be received at the election's office is October 28th. But please don't wait until the last minute to mail it, because y'all know the mail can be slow.

When your ballot arrives, mark your choices, put your ballot in the ballot envelope, seal it, and put the ballot envelope in the carrier envelope.

Please fill out all that information they ask for inside the carrier envelope flap, including your driver's license number and the last four digits of your social security number. Then, go ahead and add your contact information in case there is a problem.

Then seal that carrier envelope in both places and sign over the flap before dropping it in a mailbox. Be sure your ballot makes it to the election's office by Election Day, November 8th.

I appreciate you taking the time to listen to this public service announcement. And mom, thanks for making me a lifelong voter and a proud defender of our democracy.

Final Shot: (we'll take care of this): For more information on voting, candidates, and the upcoming election, check out VOTE411.org

From: Grace Chimene [gchimene@lwvtexas.org]

Sent: 6/17/2022 9:00:33 AM

To: Casey Thomas [; Dorothy Marchand [dmarchand@lwvtexas.org]; Joyce LeBombard

[jlebombard@lwvtexas.org]; Elisabeth Macnamara [egmacnam@gmail.com]

Subject: Voter Education

Question from Casey Thomas Texas NAACP Advocacy

Who would be a good person with the League to do a voter education forum on the new laws and the rules for applying for a vote by mail application?

Introduction:

Dorothy Marchand LWV Texas Voter Education Joyce LeBombard LWV Texas President Elisabeth MacNamara LWV Texas Advocacy Chair

Casey,

That is a good question. LWV Texas just changed over to new leadership. Joyce, Elisabeth, or Dorothy should be able to answer that question. The League had several webinars on the new election laws earlier in the year.

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Keep up the good work.

If you don't hear back or need more information, let me know.

--

Grace Chimene (she/her)
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

Empowering Voters. Defending Democracy

From: Joleen E. Smith [jsmith@lwvtexas.org]

on behalf of Joleen E. Smith < jsmith@lwvtexas.org> [jsmith@lwvtexas.org]

Sent: 5/16/2022 1:14:08 PM

To: Aileen McMurrer [amcmurrer@lwvtexas.org]; Grace Chimene [gchimene@lwvtexas.org]; Joyce LeBombard

[jlebombard@lwvtexas.org]; Dorothy Marchand [dmarchand@lwvtexas.org]

Subject: Fwd: TEST - VOTE411 is Ready to Help Voters!

Hi, everyone! Here's the draft email to go out to members and friends/advocates/partners. Please let me know if you see anything that needs to be changed. Thanks!

----- Forwarded message -----

From: Grace Chimene < lwvtexas@lwvtexas.org>

Date: Mon, May 16, 2022 at 1:01 PM

Subject: TEST - VOTE411 is Ready to Help Voters!

To: <jsmith@lwvtexas.org>



Dear ~~first name~~,

Early Voting for the 2022 Primary Runoff Election starts TODAY!!! Below you will find our recent press release about the 2022 Primary Runoff Election. Please share this information with your members and networks, and as always, continue to spread awareness about our Voters Guides and VOTE411.org, as well as voting dates, locations, and access to voting for everyone.

Thank you for your dedication to empowering voters and defending democracy! Together, we are stronger!



Grace Chimene President, League of Women Voters of Texas

League of Women Voters of Texas Another Election and VOTE411 Is Ready to Help Voters!

Austin, TX - There is only one week of early voting for the 2022 Primary Runoff Election and it begins Monday, May 16th! Election Day is Tuesday, May 24th, which is also the last day for Vote by Mail ballots to be received at election offices.

The League of Women Voters makes it easy for voters to compare candidates and find other voting information with their nonpartisan election resource <u>VOTE411.org</u>. Voters enter their address to see how runoff candidates for statewide offices from both parties responded to unbiased questions posed by the League. If there is a local League in the community, voters can also find information on local

races.

"We understand that voters may be feeling a little 'election burnout,' this being the third statewide election in 2022, and it's not even summer yet! But <u>VOTE411.org</u> really helps you choose who you believe are the best candidates in the primary runoff election. We strongly encourage you to vote in this runoff election, and to take advantage of this trusted online election resource for all Texas voters." said Grace Chimene, president of the League of Women Voters of Texas.

During the Primary Election in March, the Vote by Mail process confused many Texas voters. The Secretary of State reported almost 25,000 ballots being rejected, and that number doesn't even consider those who tried, but didn't get through the application process. If a voter is eligible and chooses to vote by mail, it is important to remember:

- After completing the Vote by Mail ballot, the voter puts it in the ballot envelope, then places the ballot envelope in the carrier envelope.
- o UNDER THE FLAP of the carrier envelope voters should include the required ID information and their contact information! To be more certain that the ballot will be accepted, include both the ID information AND the last four digits of their Social Security number.
- OVER THE FLAP of the carrier envelope voters must sign their name!
- Ballots must be received at the county election office by 7pm on Election Day. If the ballot is postmarked by 7pm on Election Day, it must be received by 5pm the day after Election Day. Voters can mail their ballot by US Postal Service, Fed Ex, UPS, or DHL.
- Voters can now track their ballots at teamry-myp.sos.texas.gov/BallotTrackerApp.

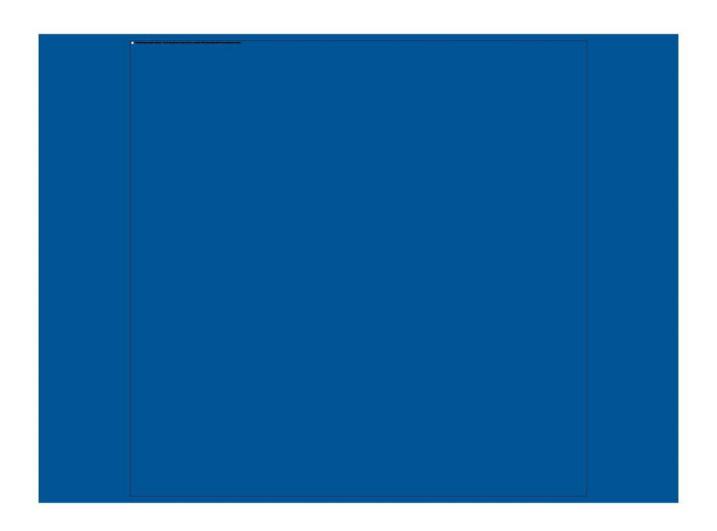
"Regardless of the challenges voters face caused by last year's changes to election laws, the League is determined to provide tools for Texas voters so they have the knowledge and confidence to vote. As a nonpartisan organization, the League does not support parties or candidates, but with VOTE411.org, we provide unbiased, understandable information about candidates and races." said Grace Chimene, President of the League of Women Voters of Texas.

In addition to <u>VOTE411.org</u>, a printable PDF version of the 2022 Primary Election Voters Guide is at <u>LWVTexas.org</u>. Please share <u>VOTE411.org</u> and the League's website with friends and family so that ALL Texas voters can be INFORMED voters!





The League of Women Voters is one of America's oldest and most trusted civic nonprofit organizations. Formed in 1919, the Texas League represents more than 13,500 grassroots advocates and 34 local Leagues across the state. The League never supports or opposes candidates for office or political parties. The League encourages the informed and active participation of citizens in government. The League also seeks to influence public policy through education and advocacy. Membership is open to people 16 years and older.



League of Women Voters of Texas

1212 Guadalupe St. #107 Austin Texas, 78701 (512)-472-1100 lwytexas@lwytexas.org lwytexas.org



--

Take care, Joleen Smith Digital Communications Associate



Empowering Voters. Defending Democracy. 1212 Guadalupe Street, Suite 107

Austin, Texas 78701 512.472.1100

For more information: LWVTexas.org

From: Susan Schultz [susandb7@gmail.com]

on behalf of Susan Schultz < susandb7@gmail.com> [susandb7@gmail.com]

Sent: 3/30/2022 11:15:53 AM

To: Grace Chimene [gchimene@lwvtexas.org]
Subject: Re: Feedback on voter education videos

Way to go, Grace!

Susan

On Wed, Mar 30, 2022 at 7:44 AM Grace Chimene <gchimene@lwvtexas.org> wrote:

Sam,

Thank you for sharing the new SOS videos.

Here is some feedback.

Regarding the Voter ID video...

#1. Use a photo of each ID. Include a <u>red circle around the correct number</u> or arrows pointing to the specific number to use.

Why: There is more than one number on the IDs. Indicate the correct number on the ID to decrease voter confusion.

#2. Encourage voters to provide both their voter ID and their social security number.

Why: The SOS encourages the use of both ID numbers. If the SOS must use words directly from the statute and are unable to encourage including both ID and SS#, consider adding a brief video of SOS Scott encouraging voters to use both the voter ID and the social security number.

Mythbuster video

1. The Mythbuster video is not helpful because it repeats misinformation.

Why: The beginning of the video shares incorrect inaccurate information for 7 or 8 seconds in a slow opening. This message may stick with the voter instead of the accurate information.

- 2. **Use positive accurate statements** such as "Find out who can vote by mail" or "Can you vote by mail" Why: It is best practice for voter education to *always* be written as positive statements of what is possible.
- 3. It is hard to read. The words are shared in a confusing manner. Add audio to reach more voters.

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

Empowering Voters. Defending Democracy



Tips for Voters - New Election Laws

Voter Registration

- Update your voter registration online if you moved or changed your name here. You will need your TXDL or ID Card, SSN, and Voter Registration Card VUID (Voter Unique Identifier) number. If you do not have your VUID number, you can find it at am I registered by putting in your name, county and date of birth.
- For college student voters living away from home, it is safest and easiest to register and vote at your college residence address.
- For voters without a residence, in the space on the registration form for residence address, it's safest to put the street address of an agency where you receive aid. In the space for mailing address, if you have one, put the P.O. Box where you receive your mail.

Early Voting

- You must be allowed to cast a ballot if you are in line before the poll closing time.
- Small counties now provide longer hours for early voting.

Vote By Mail (VBM)

- New! Who else qualifies?
 - Voters expecting to give birth within three weeks before or after election day
- Coming soon! VBM tracker and "Cure" process @ votetexas.gov
 - Track your VBM application and VBM ballot throughout the election process
 - Provide contact information on your VBM application so the county may contact you if you need to fix an error with your application or ballot.
- Voters
 - Request a VBM application from your county election office
 - Provide Voter ID number (TXDL, Personal ID, EIC Number or, if not available, the last four digits of SSN) on your VBM application and VBM ballot carrier envelope
 - Use the same Voter ID number on your voter registration application, VBM application, and VBM carrier envelope.
- Organizations and Leagues
 - Counties may not provide applications to organizations. But Leagues can print VBM applications to share with voters.

Poll Watchers

 Poll watchers are required to take training and sign an oath but have fewer restrictions on movement and observation.

Persons Who Assist Voters

- Persons who assist voters with a VBM application, VBM ballot, or in-person ballot must provide their relationship to the voter and address, and for the VBM ballot and in-person ballot, the assistor must sign an oath and mark that they didn't receive compensation.
- Persons who drive 7 or more voters who qualify for curbside voting must sign a form which is shared with the Secretary of State and the Attorney General's office.

For More Information or Assistance

- LWVTexas.org or VOTE411.org,
- Election Protection <u>866ourvote.org</u> 866-687-8683,
- Texas Secretary of State <u>VoteTexas.gov</u> (800) 252-VOTE

1212 Guadalupe #107, Austin, TX 78701 lwvtexas@lwvtexas.org 512.472.1100 LWVTexas.org VOTE411.org



Steps to Voting by Mail in Texas

For eligible Texas voters who want to safely vote from home

Apply

Who is eligible to vote by mail?

Those who are:

- 65 years or older on Election Day
- · Sick or disabled
- · Out of the county during early voting and election day
- In jail or Involuntary Civil Commitment but eligible to vote
- NEW! Expecting to give birth within three weeks before or after Election Day.

Where to get NEW Application for a Ballot by Mail (ABBM)

- Voters must use the <u>new</u> Application for a Ballot by Mail, which has a place for an ID number on the top right.
- Request an application from Bexar County Elections Department.
 Call (210) 335-8683 and request one be mailed or download in English or Spanish at www.bexar.org/3271/Vote-by-Mail.
- At VoteTexas.gov, print the application in English or Spanish.
 Complete, sign, and mail to the Bexar County Elections
 Department.*
- Applications must be received (not postmarked) at your county election office by the application deadline. ** NOTE: The postal service is not responsible if application is delivered late.

Prevent your application from being rejected because of ID:

- Make sure to complete the ID section of the application. If unsure of the number used originally, put both.
- The Texas Secretary of State's office has advised that you may contact your county elections office to ask how to add one of the required ID numbers to your voter record.

*Bexar County Elections Department

1103 S. Frio St., Suite 100 San Antonio, TX 78207 Phone: (210) 335-VOTE (8683) www.bexar.org/1568/Elections-Department

**The 2022 Election Calendar with deadlines is on page 2 of this document.

NEED HELP WITH VOTING ISSUES?

Election Protection Hotline: (866) 687-8683 or 866ourvote.org VoteTexas.gov or (800)252-VOTE (8683) For Voter ID issues, contact voteriders.org or (844) 338-8743

Tips for filling out the ABBM application

Read all the instructions provided on the back of the application

Sec. 1 - Provide contact information so that the Elections Department can contact you with any questions to expedite application approval. Provide Your ID number from:

- A Texas Driver's License
- A Texas Personal ID
- An Election Identification Certificate, or
- If none of these has been issued, then the last four digits of your Social Security number

Use the same ID number on the Vote by Mail application and the ballot carrier envelope that you used for your voter registration.

Sec. 2 - Provide the address where the ballot is to be mailed.

Sec. 3 - Voters with disabilities check the box marked disability.

Sec. 4 -

- If you are 65 years or older, or are permanently sick or disabled, you can mark the box for "Annual Application".
- If you are out of the county (where you are registered to vote) during early voting and on Election Day, mark which election you are applying to Vote by Mail.
- Mark your party of choice to vote in the Primary Election and nunoff.

Sec. 5 - Don't forget to sign the application.

Sec. 6 - If the voter is unable to sign the application follow the instructions for witnessing a signature. NOTE: Persons who assist voters with a Vote by Mail application must provide their name and address.

Finally, mail your ABBM to County Elections Department* by stated deadline. ** Once your application is approved, you will receive a Mail in Ballot to complete and return by Election Day.

Vote

Tips for completing and submitting your mail ballot

- Research candidates with the League's nonpartisan Voters Guide at VOTE411.org.
- Mark your ballot using a black or blue pen.
- Place your ballot in the ballot envelope and seal it.
- Place the ballot envelope in the carrier envelope, seal it, and sign the flap of the carrier envelope with the same signature you used on your ABBM application. Use the same ID number on the Vote by Mail application and the mail ballot carrier envelope that you used for your voter registration.
- Return your ballot, via USPS or other carrier, as soon as possible. Ballot must be received at the county election office* by 7PM on Election Day.



What if I want to hand-deliver my ballot?

- You may hand-deliver your marked ballot in person to the county election office on Election Day while polls are open.
- You must show your photo ID.

What if I decide to vote in person instead of mailing my ballot?

- Take your mail ballot with you to the polling station and turn in to the election judge. You will be allowed to vote a regular ballot
- If you lose or forget your mail ballot, you may cast a provisional ballot.

For more information, review the Secretary of State's information provided in your Vote by Mail ballot packet.

Persons who assist a voter with the Vote by Mail ballot must:

- Provide their name, address, and relationship to the voter
- Sign an oath
- Confirm that they didn't receive compensation.

Track your Vote by Mail Application and mail ballot online at VoteTexas.gov.

How to Register to Vote in Texas

Who can register to vote in Texas?

- A citizen of the United States,
- · A resident of the county, and
- 17 years 10 months of age (to vote you must be 18 years old on Election Day).
- You must not have been declared mentally incapacitated by a court of law.
- If you have been convicted of a felony, you may register to
 vote only if you have completed the punishment phase of
 your conviction, including any terms of incarceration,
 parole, supervision or period of probation ordered by the
 court

What is the last day to register to vote in an election?

- Voter Registration applications must be at the County' Voter Registrar's office or postmarked 30 days prior to the election
- If your voter registration effective date is before Election Day, you may vote during early voting.

Who needs to complete a voter registration form?

New Texas voters and Texas voters who have relocated to a new county in Texas should complete a new registration form

How do I register to vote in Texas?

- · Register in person at your county Voter Registrar's office
- Register by mail by obtaining a form from your county elections office or pick up a form from your neighborhood library.
- Download, print, complete, sign and mail a form from VoteTexas.gov.
- Mail completed form to your county elections department.
- Volunteer Deputy Registrars who are certified by the county to help voters can assist by providing a form and submitting it to the elections department for you.

When will I receive my voter registration card?

- You should receive a voter registration card in the mail within one month. Check VoteTexas.gov to check status of your registration.
- New voter registration cards are mailed to registered voters every even year.

How do I check on the current status of my voter registration?

 Check your voter registration status at VoteTexas.gov or check with your county voter registrar.

I'm already registered. How do I update my voter registration?

- If you moved within the same county or changed your name, update your voter registration at VoteTexas.gov.
- When you update your driver's license online, you can update your voter registration at the same time.

2022 ELECTION CALENDAR

Uniform Election

Primary Elections

Complete a new paper voter registration form.

Election Day

Election Day	March 1, 2022	May 7, 2022
Last day to register to vote	January 31, 2022	April 7, 2022
Early Voting	February 14-25, 2022	April 25-May 3, 2022
Last day to apply for ballot by mail (received)	February 18, 2022	April 26, 2022
Last day to receive ballot by mail	March 1 at 7PM if not postmarked; March 3 at 5PM if postmarked by 7PM on election day	May 7 at 7PM if not postmarked; May 9 at 5PM if postmarked by 7PM on election day
20	22 ELECTION CALEN	DAR
Election Day	Primary Runoffs May 24, 2022	General Election November 8, 2022
Last day to register to vote	April 25, 2022	October 11, 2022
Early Voting	May 16-20, 2022	October 24-November 4, 2022
Last day to apply for ballot by mail (received)	May 13, 2022	October 28, 2022
Last day to receive ballot by mail	May 24 at 7PM if not postmarked; May 25 at 5PM if postmarked by 7PM on election day	November 8 at 7PM if not postmarked; November 9 at 5PM if postmarked by 7PM on election day

From: Annette Matthews [acmmatt@msn.com]

on behalf of Annette Matthews <acmmatt@msn.com> [acmmatt@msn.com]

Sent: 1/18/2022 2:52:42 PM
To: gchimene@lwvtexas.org

Subject: Re: vote by mail ballot info and guestion post webinar

Harris County Elections Administration has recommended putting both numbers on the application. I just called them. As long as one of the numbers matches, then the application will be accepted.

Annette

---- Original Message ---From: Grace Chimene
To: Annette Matthews

Sent: Tuesday, January 18, 2022 1:57 PM

Subject: Re: vote by mail ballot info and question post webinar

That is a good question.

I don't know.

I thought it was a good idea, but maybe he didn't understand the question.

I don't know what the legal answer would be.

Hmmm. Maybe call Election Protection to discuss this issue.

https://866ourvote.org/

On Tue, Jan 18, 2022 at 1:42 PM Annette Matthews <acmmatt@msn.com> wrote:

Dear Ms. Chimene, (Grace)

In an attempt to determine with which document my husband and I used to register to vote by mail I called the Harris County Registrar's office as per the webinar information.

I was referred to the Elections Administration Office at 713-755-6965. So, in counties with administration offices that will probably be the place to call.

Once speaking to an employee there, I learned that there was **no** initial application form we had completed because postcards had been sent to us to sign instead. I then asked what documents would be used to identify us as there were none on an initial application. She said they had our social security numbers elsewhere.

So we are assuming the social security number is the number to use.

I am curious as to why the lawyer was **not** in favor of using **both** numbers on the vote by mail application as our political party has been suggesting to precinct chairs that we recommend to party members to avoid having applications rejected. Please, advise.

Thanking you in advance, Annette Matthews

__

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org
512-940-9948

Empowering Voters. Defending Democracy

From: Azucena Garza [azucenagzav@gmail.com]

on behalf of Azucena Garza <azucenagzav@gmail.com> [azucenagzav@gmail.com]

Sent: 4/6/2022 11:26:58 PM

To: Dorothy Marchand [dmarchand@lwvtexas.org]

CC: Castro Anjanette Gautier [anjanette@inspirarecom.com]; McMurrer Aileen [amcmurrer@lwvtexas.org]; Chimene

Grace [gchimene@lwvtexas.org]; translations@inspirarecom.com

Subject: Re: Translations for 2022 Runoff Primary Voters Guide

Hi Dorothy,

Here is the candidate response translation:

https://docs.google.com/document/d/1IFuS66Xvz5z8fylZtj0hi2LHnnd6Io7uIlBQAmgb2Vg/edit?usp=sharing

And here is the filler document translation:

https://docs.google.com/document/d/1rMoOjlp4KySqdDw3c4bzmBFTsXxsUXeTaMQIYj9gYb8/edit?usp=sharing

I believe this is all that was pending. Will you have more responses to translate as you mentioned in your email of March 28?

Note that I added another email to this thread: <u>translations@inspirarecom.com</u>. Please make sure you include that email when you reply because I will be migrating all our conversations to that address.

Thank you!

Let me know if you have any questions.

Azucena

On Mon, Mar 28, 2022 at 6:13 PM Azucena Garza < azucenagzav@gmail.com > wrote: Thank you, Dorothy.

Yes, we will have them ready before the end of next week.

Azucena

On Mon, Mar 28, 2022 at 3:31 PM Dorothy Marchand dmarchand@lwvtexas.org> wrote: Hi Anjanette,

Below is the filler for the 2022 Runoff Primary Election Voters Guide. Note that only the sections in pink have had any changes from the last Guide and need to be translated.

https://docs.google.com/document/d/135pHMJXPQqo9LrLlFiJQNPEJYNmXgsgp_-j-bXBbpro/edit?usp=sharing

Also, below is an additional candidate response that needs to be translated:

https://docs.google.com/document/d/1z-QLGbOKDHJM-

0mZVT2HGdoM7SGdOTYU/edit?usp=sharing&ouid=108936588050542753555&rtpof=true&sd=true

We have two more late responses, but I am checking to make sure these comply with policy. I will send them to you as soon as confirmed.

Could you please turn this around by the end of next week?

Thank you!

Dorothy Marchand

dmarchand@lwvtexas.org

Azucena Garza

We have to shift our attitude of ownership of nature to relationship with nature. The moment you change from ownership to relationship, you create a sense of the sacred.

— Satish Kumar

Azucena Garza

We have to shift our attitude of ownership of nature to relationship with nature. The moment you change from ownership to relationship, you create a sense of the sacred.

- Satish Kumar

Filler for Runoff Election, May 24, 2022

NONPARTISAN VOTERS GUIDE

TEXAS RUNOFF PRIMARY ELECTION >> MAY 24, 2022

Lieutenant Governor>> Attorney General>> Comptroller of Public Accounts>> Commissioner of General Land Office>> Railroad Commissioner>> State Board of Education

EARLY VOTING: May 16 - May 20 >> ELECTION DAY: May 24. Polls open 7 a.m. to 7 p.m.

>VOTING IN TEXAS PRIMARIES

The upcoming Runoff Primary Election is extremely important for Texas!

Primary Elections: Texas has <u>open</u> primaries, which means <u>all</u> Texas voters can participate. The Primary Elections include the Primary Election, which was held on March 1st, and this Runoff Primary Election.

- The Republican and Democratic Parties each choose their candidates in Primary Elections.
- If one candidate did not receive more than 50% of a party's votes for any race in the March 1st Primary Election, then the two candidates with the most votes must compete in this Runoff Primary Election.
- The Libertarian and Green Parties each choose their candidates in a party convention.

Since many districts in Texas heavily favor one party over the other, the primaries often determine the winner of the General Election! Even if you do not strongly identify with any political party, you can and should carefully consider the candidate choices and participate in one of the primaries or conventions.

Note: If <u>you did not vote</u> in the March 1st Primary Election, you can still vote in the Runoff Primary Election! But, if you voted in one party primary or convention, you cannot vote in another party's primary or convention. So, <u>if you voted</u> in the March 1st Primary Election, on May 24th, you can only vote in that same party's Runoff Election.

General Election: Voting in one party's Primary Election, convention or Runoff Election does NOT commit you to vote for a particular party or candidate in November's General Election. You can still vote for any candidate of your choice, regardless of party, in the General Election.

>ABOUT THIS VOTERS GUIDE

This *Voters Guide* is funded and published by the League of Women Voters of Texas. The League never supports or opposes political candidates or political parties.

>ONLINE VOTERS GUIDE

The online, interactive version of the *Voters Guide* is at **VOTE411.org**. By entering your address, you can view races and candidates on your ballot, compare candidates' responses to unbiased questions posed by the League, and create a print-out of your choices to take to the polls. If there is a local League in your community, you can also find information on any local races.

[VOTE411/Election information you need graphic & QR code]

> SIGN UP FOR VOTING REMINDERS!

To get voting reminders on your phone, text LWVTX to 80123.

[Text: LWVTX To: 80123 graphic]

>SUPPORT THE VOTERS GUIDE

Help us fund the cost of this valuable resource for Texas voters by making a secure donation online at lwvtexas.org, or by mailing the payment to the League of Women Voters of Texas, 1212 Guadalupe #107, Austin, TX 78701.

[QR code]

>VOTERS GUIDE CONTENTS

[make pages linkable] Be a Texas Voter!

Voter ID - What to take to the Polls

Helpful Contacts & Websites

Lieutenant Governor

Attorney General

Comptroller of Public Accounts

Commissioner of General Land Office

Railroad Commissioner

State Board of Education

Voters Guide Policy

Sponsors and Major Donors

Local Leagues in Texas

BE A TEXAS VOTER!

The League of Women Voters of Texas fights for the freedom of ALL Texans to vote. Your vote is your voice... below are the ways to exercise your right to vote. Whichever way you choose to vote, be sure to first check your voter registration status at VoteTexas.gov! You must be registered before you can vote!

» VOTE BY MAIL

If you applied to vote by mail...

- Ballots are mailed out 30 to 45 days before an election or 7 days after the county election office receives an application.
- When you receive your ballot, be sure to
 - Mark your ballot using a black or blue pen;
 - Place your ballot in the ballot envelope and seal it;
 - Place the ballot envelope in the carrier envelope;
 - Complete all information on the carrier envelope, including:
 - your contact information,
 - your voter ID number (Texas Drivers License, state-issued personal ID or election ID certificate), and
 - the last four digits of your social security number;
 - Seal it:
 - Sign the flap of the carrier envelope.
 - See lwvtexas.org for more details and helpful information.
- Mail in your ballot as soon as possible. It must be received by 7:00 p.m. on Election Day.
- Track your ballot at VoteTexas.gov!

If you want to hand deliver your vote by mail ballot....

- You may hand deliver <u>your</u> marked ballot in person to the county election office on Election Day while polls are open.
- You must show your photo ID when delivering the ballot, and sign a form.

» VOTE EARLY IN PERSON

- You may vote early at any voting location in your county.
- Find polling places at VOTE411.org or on your county election website.
- If you have a disability, you may request to move ahead of other voters in line
- If in line before the poll closing time, you must be allowed to cast a ballot.

» VOTE ON ELECTION DAY

- In some counties, you can vote at any polling place. In other counties, you can only vote at your precinct.
- Find polling places at VOTE411.org or on your county election website.
- If you have a disability, you may request to move ahead of other voters in line.
- If in line before the poll closing time, you must be allowed to cast a ballot.

» VOTE IN PERSON USING CURBSIDE VOTING

- If you are physically unable to enter the polling place without personal assistance or likelihood of injuring your health, you may ask that an election officer bring a ballot to your car.
- After you mark your ballot, give it to the election officer or hand it to a companion to deposit in the ballot box for you.
- It is best to call ahead so election officials will expect you!

» VOTE EVEN IF YOU ARE A SUSPENDED VOTER

You can still vote if your voter registration is in suspense! "Suspense" means that your county voter registrar needs to confirm your voting address.

» VOTE A LIMITED BALLOT IF YOU HAVE MOVED BUT NOT RE-REGISTERED If you have moved to a new county and have not re-registered in the new county by the registration deadline, you may be eligible to vote a limited ballot in your new county. A limited ballot is one that allows you to vote on candidates and measures that are on the ballot for both your former county and your new county, such as statewide and national races. Voting a limited ballot is only available during early voting at the main early voting polling place.

VOTER ID: WHAT TO TAKE TO THE POLLS

You may use one of seven forms of photo ID, listed below.

- Texas Driver License
- Texas Election Identification Certificate
- Texas Personal Identification Card issued by the Department of Public Safety (DPS)
- Texas Handgun License issued by DPS
- US Military Identification card containing the person's photograph
- US Citizenship Certificate containing the person's photograph
- US Passport (book or card)

Note:

- IDs may have expired up to four years.
- Persons 70 years or older may use an expired ID, regardless of expiration date.
- ID address does not have to match the voter registration address.
- The name on the photo ID should match the voter registration card or be "substantially similar." If the names don't match exactly but are substantially similar, the voter will initial a box for a similar name when signing in to vote.

Registered voters without photo ID, who cannot reasonably obtain one, may sign a form (described below) and present the original or a copy of one of the following documents with the voters name and address to vote a regular ballot:

- Texas voter registration card
- Certified birth certificate
- Current utility bill

- Bank statement
- Government check
- Paycheck
- Any other government document such as an out of state driver's license or expired Texas driver's license.

The form to be filled out by registered voters without a photo ID is a "Voter's Declaration of Reasonable Impediment or Difficulty". The voter must mark on the form one of the following reasons for not providing a photo ID:

- Lack of transportation
- Disability or illness
- Lack of birth certificate or other documents needed to obtain an acceptable form of photo ID
- Work schedule
- Family responsibilities
- Lost or stolen identification
- Acceptable form of photo ID applied for but not received.

VOTER HARASSMENT

- Election officials cannot question a voter about the use of an ID type.
- Poll watchers may never question a voter about Voter ID issues.
- If you are harassed, call the Election Protection Voter Hotline!

HELPFUL CONTACTS & WEBSITES

League of Women Voters of Texas lwvtexas.org

Secretary of State

VoteTexas.gov

Your County Election Website

sos.texas.gov/Links of Interest

Election Protection

866OURVOTE.org

Voter Hotlines!

- English: 866-OUR-VOTE or 866-687-8683
- Spanish: 888-Ve-Y-Vota or 888-839-8682
- Asian: 888-API-VOTE or 888-274-8683
- Disability Rights TX: 888-796-VOTE or 888-796-8683

Republican Party

texasgop.org

Democratic Party txdemocrats.org Libertarian Party Iptexas.org Green Party txgreens.org

VOTERS GUIDE POLICY

- Candidate replies are printed without editing or verification.
- References to opponents or specific persons are not allowed.
- In place of any inappropriate response, the Voters Guide will state
 "Candidate's response did not meet the criteria listed in this Voters Guide."
- Videos that do not comply are removed.
- This Voters Guide is organized by office, with candidates listed by party, including the names of unopposed candidates. (Ballot order at the polls may vary from county to county.)
- Candidates with no photo in this *Voters Guide* did not submit a photo by the print deadline.
- Candidates who do not respond to our questionnaire by the print deadline are listed with the notation "Candidate has not yet responded." Their information may be in VOTE411.org.

@ 2022 League of Women Voters of Texas / wvtexas.org

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League of Women Voters of Texas Voter Education Chair: Dorothy Marchand Voters Guide Volunteers:

Production Team: Community Impact, Inspirare Communications, Jaci Collins, Motto Publishing Services, Truc Viet Organization

VOTERS GUIDE SPONSORS AND SUPPORTERS

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Platinum Voters Guide Sponsors

Gold Voters Guide Sponsors

Major 2022 Contributors

EMPOWERING VOTERS. DEFENDING DEMOCRACY

The LWV is a nonpartisan political organization and is one of America's most trusted grassroots organizations! We aim to:

- Achieve a free and fair democracy
- Increase participation in government
- Expand voter participation in Texas
- Create a League that is diverse, equitable & inclusive.

>TEXAS LOCAL LEAGUES

Learn more about our local Texas Leagues and how they help shape today's important issues by visiting lwvtexas.org.

Amarillo

Austin Area

Bay Area

Baytown

Cy-Fair

Collin County

Comal Area

Cooke County

Corpus Christi

Dallas

Denton

El Paso

Fort Bend County

Hays County

Hill Country

Houston

Irving

Lubbock County

Midland

Montgomery County

Richardson

Rio Grande Valley

San Antonio Area

South Central Texas

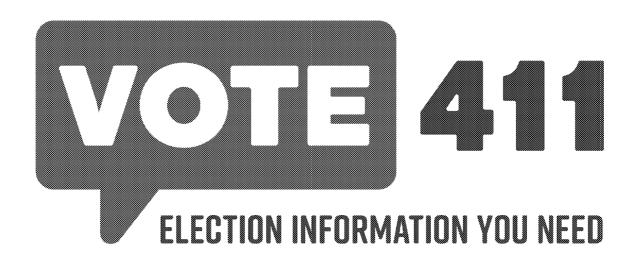
Tarrant County

Tyler/Smith County

Victoria

Waco Area

Wichita Falls





the QR code for VOTE411.org

Name	СМҮК	PMS	HEX
Fuschia purple	40,90,0, 0	Purple C	#bb29 bb
Dark Blue	100,69,7 ,30	294	#0A3A 5a

LWV Blue

C98 M72 Y13 K21 R0 G85 B150 hex #005596

LWV Red

C13 M100 Y84 K4 R190 G15 B52 hex #be0f34

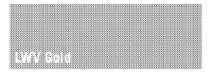
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C45 M100 Y30 K20 R130 G2 B99 hex #820263

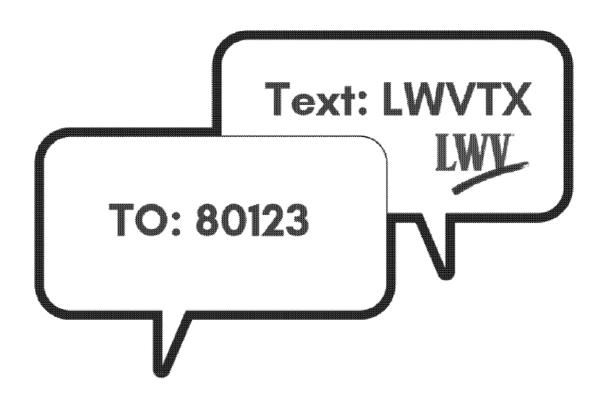


C75 M100 Y35 K30 R82 G28 B80 hex #521C50



C5 M35 Y100 K2 R236 G164 B0 hex #ECA400 *PMS color specifications and artwork files are available by request only. To request access please contact LWV to submit your reason and request for consideration.

Also - the font we are using is "Rift" on the website and "Rift Soft" is used on the logo tagline.



Goes with words: "Never forget an election!" "Sign up for voting reminders."

Submitted to the Court via USB Drive Under Seal

From: Grace Chimene [gchimene@lwvtexas.org]

on behalf of Grace Chimene < gchimene@lwvtexas.org > [gchimene@lwvtexas.org]

Sent: 3/4/2022 3:59:26 PM

To: bob Kafka [bob.adapt@sbcglobal.net]; Molly Broadway [mbroadway@disabilityrightstx.org]; Ashley Ford

[aford@thearcoftexas.org]; Dorothy Marchand [dmarchand@lwvtexas.org]

Subject: Tell Your Voting Story survey

Please Consider sharing.

Texas has a new voting law. The League of Women Voters of Texas is gathering stories from Texas voters about voting in the March 1st Texas Primary Election. How was your voting experience? And if you are comfortable sharing your friends' and family's voting experience in 2022, we welcome that too.

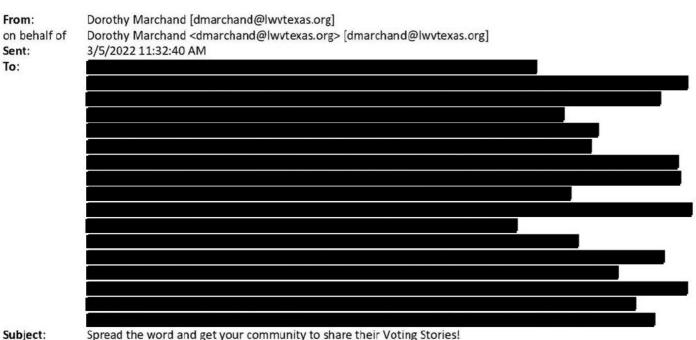
Your story will help the League learn about how new voting procedures impacted Texas voters and any challenges you experienced. By filling out this survey you are agreeing that we can use the information to pull out a collective story without using personal identifying information. We will use this information to enhance voter education and to advocate at the Capitol for improvements to voting in Texas on behalf of voters.

Tell Your Voting Story survey from the League of Women Voters of Texas.

--

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

Empowering Voters. Defending Democracy



Spread the word and get your community to share their Voting Stories!

Dear Voter Services Leaders,

You may have already seen this via email or social media, but just in case.... Can you please help us gather Voting Stories from the primaries? Here is a script you can share along with it:

Texas has a new voting law. The League of Women Voters of Texas is gathering stories from Texas voters about voting in the March 1st Texas Primary Election. How was your voting experience? And if you are comfortable sharing your friends' and family's voting experience in 2022, we welcome that too.

Your story will help the League learn about how new voting procedures impacted Texas voters and any challenges you experienced. By filling out this survey you are agreeing that we can use the information to pull out a collective story without using personal identifying information. We will use this information to enhance voter education and to advocate at the Capitol for improvements to voting in Texas on behalf of voters. https://forms.gle/r98QQyGPbpTVhUtJA

Share Your Voting Story! LWY

Thanks!

Dorothy

Dorothy Marchand dmarchand@lwvtexas.org 713 446 4297

Email or phone Log In Sign Up Forgot account?

League of Women Voters of Texas added 43 new photos to the album: Voter's Stories 2022. March 17

Trouble voting by mail? Blame Texas' new election law!

Texas has a new voting law because of the passing of Senate Bill 1. The League of Women Voters of Texas has been gathering stories from Texas voters about their experience voting in the Texas Primary Election on March 1st. 2022.

It's a tragedy for our democracy when state leaders choose to support a partisan agenda instead of voters when writing state election law resulting in a massive rejection of vote-by-mail ballots. The federal Voting Rights Act must be restored to ensure that every voter in Texas has equal access to the ballot box and is protected from unfair laws and practices that make it harder for people to vote.

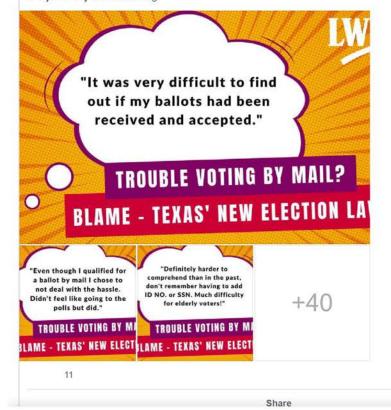
"For democracy to work, it must include all voices. SB 1 is an extremist anti-voter bill that raises even more barriers to voting and specifically targets vulnerable communities, especially voters with disabilities, voters of color, and elderly voters," said Grace Chimene, president of the League of Women Voters of Texas. "SB 1 is a violation of our freedom to vote, and we will continue to fight every attempt to silence Texas voters."

These slides contain exact quotes from actual Texas voters.

These quotes were copied directly from voter submissions collected by the League of Women Voters of Texas. Absolutely no editing was done by LWV Texas; therefore, there are a few spelling, capitalization, and grammar errors. Additionally, all identifying information was removed, in order to protect the privacy of those who submitted.

To submit your story, click here: https://bit.ly/lwv-stories.

Help the League carry out its mission of empowering voters and defending democracy in Texas. Donate and join today at lwvtexas.org.



Related Pages



Kim Olson



Texas Democratic Women

Political Organization



Meyerland Area Democrats Club

Political Organization



Kim Collins Gilby - WCDP Chair

Politician



Moms Demand Action - TX

Interest



Mike Collier Political Candidate



Planned Parenthood Texas Votes

Political Organization



League of Women Voters Austin ...

Nonprofit Organization



Republican Party of Texas

Political Organization



Texas Water Development B...

Government Official



Texas Rising

Nonprofit Organization



Texas Freedom Network

Political Organization

Pages Liked by This Page



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or

Create new account

20 Shares



See more of League of Women Voters of Texas on Facebook

Log In O

or

Create new account

Submitted to the Court via USB Drive Under Seal

2022 General Election Vote by Mail Issues

The League of Women Voters of Texas is gathering information from Texas League members about their Vote By Mail experience. If you voted by mail or assisted someone in voting by mail for the November 8th, 2022 Primary General Election, please complete this brief survey by end of the day Thursday, February 23 (my apologies for the short turnaround).

Your information will help the League learn about any challenges you experienced that may help us pursue our SB1 lawsuit. By filling out this survey, you are agreeing that we can use the general information to pull out a collection of information. We ask you to please include your name and contact information. By providing contact information, we may contact you for further information.

If you have questions, contact us at <u>ilebombard@lwvtexas.org</u>.



1.	Did you vote by mail, or try to vote by mail, in the November 8th, 2022 Midterm Election?
	Mark only one oval.
	Yes
	◯ No

2.	If yes, please describe any issues you had voting by mail in the November election (This may include issues with missing or incorrect ID numbers on Ballot By Mail forms, or issues receivin assistance while voting.)		
3.	Did you assist, or attempt to assist, a voter with the Ballot by Mail process? Mark only one oval. Yes No		
4.	If yes, please describe any issues you had assisting voters with the Ballot by Mail process.		
5.	Are you a member of the League of Women Voters? Mark only one oval. Yes		
	○ No		

6.	First name	
7.	Last name	
8.	County where you voted	
9.	Zip code	
10.	Phone number	

This content is neither created nor endorsed by Google.

Google Forms

From: David Weinberg [weinbergd@brennan.law.nyu.edu]

on behalf of David Weinberg <weinbergd@brennan.law.nyu.edu> [weinbergd@brennan.law.nyu.edu]

Sent: 3/9/2022 4:15:03 PM

To: Grace Chimene [gchimene@lwvtexas.org]; Marisa Bremer [marisa@impactual.com]

CC: Lisa Danetz [danetz|@brennan.law.nyu.edu]

Subject: RE: Introduction

Thank you Grace!!!!

David Weinberg Voting Rights Advisor Brennan Center for Justice

From: Grace Chimene <gchimene@lwvtexas.org>
Sent: Wednesday, March 9, 2022 12:31 PM
To: Marisa Bremer <marisa@impactual.com>

Cc: David Weinberg <weinbergd@brennan.law.nyu.edu>; Lisa Danetz <danetzl@brennan.law.nyu.edu>

Subject: Re: Introduction

We are meeting next Monday at 9:00 am with Whitney and others.

Grace

On Wed, Mar 9, 2022 at 12:25 PM Marisa Bremer < marisa@impactual.com > wrote:

The small group conversation referenced here is the same as the conversation being discussed in Slack. Grace, please keep me posted on when your conversation with Whitney is, and then I will send out a doodle poll to find a time for the small group discussion after that meeting. I think for the sake of organization and alignment it'll be easiest to start with the one small group discussion that includes everyone who is interested. I'll be sure to loop Lisa, Cinde, and other members of the League team into scheduling for the small group discussion.

Thanks all!

Marisa Bremer

Program Manager | Civic Participant | Impactual (m):

Learn more about what we do here
Slip into something meaningful here
IG | Twitter

On Wed, Mar 9, 2022 at 11:15 AM Grace Chimene <gchimene@lwvtexas.org> wrote:

I would be happy to join in the conversation regarding the design of the ABBM and the carrier-envelope. We are setting up a meeting with Civic Design now. You might also like to include Cinde Weatherby and a few others with the League that work on voter education and advocacy.

We know Whitney with Civic Design through our work reviewing all 254 counties during major elections. Our last review came out on Monday. There were 5 counties that still hadn't updated the ABBM application on their website and many more counties that don't even mention VBM. ugh.

https://lwvtexas.org/content.aspx?page_id=22&club_id=979482&module_id=469611

We are also very involved in voter education. This past election we were intensely focusing on the VBM process with our voter education.

https://lwvtx.clubexpress.com/content.aspx?page_id=22&club_id=979482&module_id=482951

On Wed, Mar 9, 2022 at 11:50 AM David Weinberg < weinbergd@brennan.law.nyu.edu > wrote:

Looping in Grace from LWV-TX who is also working on this...

Thank you,

DW

From: Marisa Bremer <marisa@impactual.com>
Sent: Wednesday, March 9, 2022 11:09 AM
To: Lisa Danetz <danetzl@brennan.law.nyu.edu>

Subject: Re: Introduction

Thanks David, moving you and Steph to BCC!

Lisa, great to connect with you. I'm a different Marisa from the one at project vote, my background prior to joining Impactual was in field!

I'm planning on sending out a doodle to find a time for the small group discussion that David mentioned, would you like me to send that your way once it's made?

Marisa Bremer

Program Manager | Civic Participant | Impactual (m):
Learn more about what we do here Slip into something meaningful here IG | Twitter

On Wed, Mar 9, 2022 at 7:43 AM Lisa Danetz < danetzl@brennan.law.nyu.edu > wrote:

Thanks, David. Marisa, I'm looking forward to connecting. I can't see your last name from your email address, so I am wondering: Are you the same Marisa who was at Project Vote years ago?

Lisa

From: David Weinberg <weinbergd@brennan.law.nyu.edu>

Sent: Tuesday, March 8, 2022 5:18 PM

To: marisa@impactual.com < marisa@impactual.com >

Cc: Lisa Danetz <danetzl@brennan.law.nyu.edu>; Stephanie Gomez <SGomez@commoncause.org>

Subject: Introduction

Marisa,

Hello, wanted to introduce you to Lisa Danetz w/ Brennan. Lisa – Marisa is with CSME and doing some work on improving the user-friendliness of mail ballot applications in Texas. It seems like she may be involved with a smaller group discussion on this. There was also some talk about improving the ballot tracker as well but I'm not sure if that is going to get wrapped into this conversation. At any rate, wanted to put this on your radar screen at an item of potential interest.

Thank you,

David

David Weinberg Voting Rights Advisor Brennan Center for Justice

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

Empowering Voters. Defending Democracy

Grace Chimene (she/her)
President, League of Women Voters of Texas
gchimene@lwvtexas.org
LWVTexas.org & VOTE411.org

Empowering Voters. Defending Democracy

From: Elaine Wiant [ewiant@lwvtexas.org]

Sent: 3/18/2022 11:04:50 AM

To: Grace Chimene [gchimene@lwvtexas.org]; Ashley Harris [aharris@aclutx.org]

Subject: Fwd: has accepted our offer!

- Resume 2022.pdf; - Cover Letter 2022.pdf

CAUTION: This message is from an external sender. Please be cautious of links & attachments.

Here is the confirmation of offer and acceptance. I'm also including a screenshot from Quickbooks. Let me know if you need more.

Name	Email	Birth date					
Home address	Social Security number	Gender					
		* 					
Phone number							
Tax withholding							
Federal filling status							
	Show more ✓						
Payment method							
Payment method Direct deposit							
Employment details							
Status	Hire date	Pay schedule					
Active	02/21/2022	Twice a month 2					
Elaine Wiant LWV Texas							
Empowering voters. Defending democracy.							
Date: Wed, Feb 16, 2022 at Subject: has a	<amcmurrer@lwvtexas.org> t 11:58 AM accepted our offer!</amcmurrer@lwvtexas.org>		~ 1.1.				
Fo: Grace Chimene < cchimene@lwvtexas.org , Elaine Wiant < cwiant@lwvtexas.org , Susan Schultz cschultz@lwvtexas.org , Oliver Bernstein < coliver@steadyhandpr.com >							

Hello,

has accepted the position of Digital Communications Associate for the LWVTX. Whoohoo! She accepted our offer of \$46K/year. During the interview, I was impressed with her creativity, her enthusiasm for our mission, that she is self-motivated, and that she takes an analytical approach to her work. Her resume and cover letter are attached. Thank you, Oliver! Oliver arranged for us (me, Grace & Oliver) to interview two candidates. Grace and I both preferred He then checked references and gave both candidates a writing exercise to complete in an hour. As well as promoting the position, Oliver interviewed other candidates that were not considered for interviews with us. Some accepted other positions in the process, or wanted more \$\$, or were not a good fit for LWVTX. will start next Monday. We'll do a brief orientation in the morning and give her some training tasks - primarily Club Express. I've asked her to join us at the board meeting on Monday also so she can meet the board and see the scope of the work we are doing. Oliver, let's talk about the orientation/training topics you are going to cover. I am open Thurs morning and after 2 on Friday. Look forward to talking with you. Aileen Aileen Jacinta McMurrer Executive Director Empowering Voters. Defending Democracy. 1212 Guadalupe Street, Suite 107 Austin, Texas 78701 512.472.1100

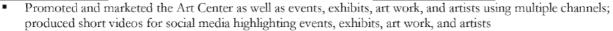
For more information: LWVTexas.org



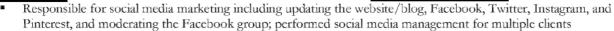
EDUCATION

Bachelor of Arts in Psychology; The University of Texas at Austin, 1999

WORK EXPERIENCE



- Crafted and distributed press releases; maintained a database of media contacts
- Responsible for social media management including Facebook and Instagram
- Responsible for graphic design including flyers, social media graphics, brochures, rack cards, and business cards; designed the program, save the date card, and invitation for the Art Center's annual Spring Gala
- Designed a new website with WordPress and maintained and updated the website as needed
- Created, wrote, and sent out a monthly email newsletter
- Managed the monthly "Art After Dark" program including scheduling speakers, live music, and food vendors
- Managed the "Artist of the Month" program including choosing the artist and promoting their exhibit
- Helped with fundraising; solicited donations from local businesses for the raffle at the Spring Gala
- Greeted visitors and gave tours of the facilities; scheduled and carried out group tours
- Taught monthly classes about marketing and other topics called "Art Bites"
- Taught a group social media class "Social Media for the Small Business & Artist," gave one-on-one Facebook
 consultations, and served as a member on the group panel discussion "My Work Inspiration vs. Perspiration" at
 the Lost Pines Art Conference, 2016



- Promoted local businesses, organizations, music, and events through both paid and unpaid advertising
- Maintained an online community calendar for Bastrop County; created, edited, promoted, and sold Bastrop County wall calendars in 2012 and 2014; sold advertising in the calendar
- Created, wrote, and sent out a weekly email newsletter and maintained an email database of over 1,300 contacts
- Organized and moderated contests and giveaways
- Performed website design and graphic design for clients including banner ads, business cards, flyers, brochures, etc.
- Wrote, hosted, and produced 5 episodes of "My Bastrop" in partnership with the Bastrop TX Network and the City of Bastrop for cable access television
- Managed all aspects of the Consumer-Operated Services (COS) Grant Program, including program design and evaluation, strategic planning, and budget development
- Created COS program manual, Bidder's Conference presentations, and Request for Proposals (RFP)
- Planned COS Quarterly Training Conferences, including scheduling speakers/presenters
- Successfully researched, developed, and wrote grant proposals for the Federal Community Mental Health Block Grant (\$10,000,000 grant) and other funding sources
- Supervised, evaluated, hired/fired, and trained Program Specialists

Program Specialist

April 2002- June 2005

- Developed training curriculum, including training manuals, handouts, and power point presentations
- Conducted over 100 training presentations to more than 1,200 individuals
- Wrote, starred in, and helped produce 3 video training presentations
- Acted as grant manager and point of contact for COS grantees; reviewed grantee reports and provided training and technical assistance through one-on-one interactions, site visits, training presentations, and conferences
- Provided outreach, chapter development, and grassroots organizing to consumer groups across Texas
- Researched issues related to mental health and disseminated information to general membership, the public, and the Texas legislature; testified at legislative hearings

- Coordinated all aspects of digital phone system installation; point of contact for clients and contractors
- Performed database programming and troubleshooting
- Conducted individual and group training and created training materials

COMMUNITY INVOLVEMENT

Bastrop Chamber of Commerce-Volunteered on Membership Committee
Bastrop Main Street Program- Volunteered on Promotions Committee
Bastrop YMCA- Board member, 2014-2017; Annual Campaign Chair, 2016 & 2017; volleyball coach, 2014-2016
Bastrop County MOPS (Mothers of Preschoolers)- Charter member; served as Publicity Coordinator, 2009-2011
Bastrop ISD Council PTA- Served as Arts in Education Chair, 2011-2012 & 2015-2017
Cedar Creek Elementary School PTA- Served as Parliamentarian 2011-2012; served as Secretary, 2015-2016
Cedar Creek Middle School PTA- Served as Treasurer, 2018-2019; served as Vice-President, 2019-2020
Cedar Creek High School PTSA- Served as Parliamentarian, 2020-2021 & 2021-2022
Cedar Creek Athletic Booster Club- Served as Website/Social Media Chair, 2020-2021, and additionally served as President when the former President resigned in January 2021; served as President, 2021-2022; created a new website for the booster club using Wix and maintained and updated the website as needed; created and updated the online calendar; managed social media including Facebook, Twitter, and Instagram, and moderated the Facebook group
Longhorn Alumni Band- Member, 2000-present; assisted with social media and Facebook group

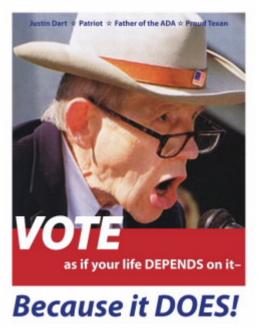
AWARDS

•

OCA-APPX-2126

Exhibit 156

Texas' New Voting Law



Julie Espinoza
Assistant Director
REACH of Plano

Left – photo of Justin Dart – "Vote as If your life depends upon it – because it does!"

A little about REV UP Texas



- History of
- Purpose
- Involvement in new Texas voting law

Mail in Ballot Changes



- New Law requires a wet signature (ink on paper)
 without allowing for a reasonable accommodation –
 this creates problems for some with disabilities
- Current law allows a witness to signature—for a voter unable to sign because of a disability—but relying on a witness removes a voter's ability to vote independently.

Mail in Ballot Changes



- New law requires a voter to include the last 4 digits of Texas ID or Social Security number on both the application for a maiol ballot and the ballot itself
- Must enter these same numbers to match when voting. If numbers on application and ballot do not match, ballot will not be counted
- Problem some voters do not know they must include these numbers or due to disability (like being in an institution) do not have access to the numbers so cannot provide this CA-APPX-2131

 OCAGH_00000284_004_Native

Online Portal



- Texas will establish an online portal for voters to track where their mail in ballot is.
- New law says that if voter's ballot is rejected due to signature not matching or numbers not matching they can fix the problem.
- If not enough time to fix by mail or email —the county may provide an opportunity to go to elections office and cast.

Receiving assistance at the polls



- Attendant or person supporting a voter must provide their name, address, Relationship to and if they are being compensated.
- Assistor must also take an oath under penalty of perjury and jail time to only provide assistance allowed by State law (reading the ballot, directing the voter to read the ballot, marking the ballot or directing the voter to mark the ballot) even though this limits the type of assistance available under Federal law.

Receiving assistance at the polls



 Amendment to where now attendants and caregivers can assist at polls.

Poll watchers at the polls



- Poll watchers were given authority to observe assistance given
- But, law makes clear that poll watcher cannot observe when the voter casts their ballot

Election Officials at the polls



- A provision in the new law provides that No local official can alter or change the Texas election law even when necessary to grant a voter a reasonable accommodation because of their disability
- An amendment was added that makes clear that qualified voters with a disability are still entitled to reasonable accommodations Native



None of this will take effect until December 6, 2021.

Voting By Mail

Applications: Article 5. Section 5.01. Section 84.001 (b)

- Wet Signature Instead of a photocopied or electronic signature, all applications must now have a 'wet ink' signature. This means that an actual, handwritten signature or signature stamp must be on the application.
- Voter ID Eligibility for vote by mail is the same but additional information is now included on the application. Voters must now include the identification number found on their Texas Driver's License (DL), Texas Identification Card (ID), or Texas Election Identification Card (EIC). If a voter has not been issued a Texas DL, ID, or EIC, then they are allowed to use the last four digits of their social security number (SSN).



- If a voter does not have a Texas DL, ID, EIC, or SSN, the voter can sign a statement to that effect.
- If the information on the vote by mail application has not been filled out properly (i.e., does not match voter's registration information) and has the potential to be rejected by the election clerk, the clerk must provide notice of rejection to the voter. The notice must include information about the ability to correct or add required information through an online tool provided by the election clerk.
- On Line Tool An online tool will be created that will record when each ballot-by-mail application is received by the county clerk/election official and if that application was accepted or rejected.
- If a voter requests a ballot by mail and then chooses to cancel the ballot and vote in person, but fails to return the mail ballot, the individual must vote a provisional ballot.



Ballots: Article 5. Section 86.002

- Number Matching On the exterior side of a sealed carrier envelope, voters must list the Texas driver's license, identification card, election identification card identification number (or the last four digits of their social security number) that was used on their ballot-by-mail application. There should be a designated space for this information to be entered because it will need to be hidden from public view.
- Opportunity to Cure If the Signature Verification Committee (SVC) or the Early Voting Ballot Board (EVBB) discover a defect in the way a mail ballot was completed by the voter (i.e., missing residential address, missing or concerning signature), the SVC or EVBB must return the ballot to the voter by mail if the committee determines there is time to cure the defect before polls close on election day.



If the Committee or Board discover a defect but determine there is not time to return the ballot to the voter by mail before election day, the board may, but is not required to, notify the voter of the defect by phone or email and allow the voter to cancel their mail ballot or come to the clerk's office in person to correct the defect.

O An online tool will be created which records when the ballot/carrier envelope is sent to the voter, received by the voting clerk, and if that ballot was accepted or rejected. Each envelope will have an assigned serial number and bar code or tracking number.

Voter Assistance

In-person voting: Article 6. Section 6. Section 64.009 & Section 64.031

- Limit on type of assistance Voters may now also be eligible for assistance if they need help with reading the ballot due to an inability to read the language provided on the ballot.
- People who assist voters must now provide additional information on the assistant form and oath. People will need to provide their name, address, relationship to the voter, and if the assister received any kind of compensation or other benefit for helping the voter.



The assistant oath now includes swearing under penalty of perjury and limits the type of assistance that can be provided to a voter.

• Curbside I f a person is transporting seven or more non-family members to early vote at the same time*, that person must complete a form giving their name and address and stating whether they provided any help casting ballots. (assisting)

Mail-in ballots:

Article 6. Section 6.05. Section 86.010-86.015

- Assistants must fill in the following information on the carrier envelope: Their signature, printed name, residential address, relationship to the voter, whether or not they received any kind of compensation or other benefit from helping.
- It is now a criminal offence if a person receives or accepts compensation for assisting voters. If the person assisting the voter is also the voter's caregiver or assistant, the prohibition does not apply.



Increase in penalties
Assistor oath or illegal assistance
False statement

Poll watchers:

Observing activity: Article 4. Section 4.07. Section 33.056-33.057

• Poll watchers are now able to sit or stand near enough to see and hear election activity occurring with the voters and/or election officers. However, poll watchers are not allowed to be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice.



Reasonable accommodation or modification

Voter request for accommodation: Article 1. Section 1.022

No Changes New provision in law that prohibits election official from altering, changing or suspending any policy practice or procedure in law.

An amendment was added that specifically provides that nothing in election code prohibits or limits Voters with disabilities from making a request for a reasonable accommodation or modification to election laws or procedures.

Study of implementation of educational programs, including instructional videos to help vwd to understand accessibility features of voting machines



Access Barriers & Issues Related to Texas' New Voting Law

Chamane Barrow REV Up Texas

A Little About REV UP Texas



Register! Educate! Vote! Use (your) Power!

Our Mission

Significant Barriers to Voting Already Exist

- Physically inaccessible polling sites,
- Election workers refusing to provide accommodations,
- Mail-in ballots that cannot be used by people who are blind,
- And many more.

Texas SB 1 Voting Law



Creates even more unnecessary barriers and silences the voices of Texans with disabilities and others, by placing illegal restrictions on our access to voting.

Mail in Ballot Changes



New Law requires a wet signature (ink on paper) without allowing for a reasonable accommodation – this creates problems for some with disabilities.

Mail in Ballot Changes



- New law requires a voter to include the last 4 digits of Texas ID/DL or Social Security number on both the application for a mail ballot and the ballot itself.
- Must enter these same numbers to match when voting. If numbers on application and ballot do not match, ballot will not be counted and will be rejected.
 - Problem some voters do not know they must include these numbers or due to disability (like being in an institution) do not have access to the numbers so cannot provide this.

Receiving assistance at the polls



- Another access issue is the restricting any assistance by personal attendants or other assistors outside of reading & marking of the ballot.
 - Must also take an oath under penalty of perjury & jail time to only provide assistance allowed by State law.
 - Must now also provide their name, address,
 relationship to & if they are being compensated.

Receiving assistance at the polls



These restrictions also cause access issues for:

- Deaf individuals using ASL Interpreter to access the voting process at the polls when untrained poll persons thinks that the interpreter is providing too much assistance to Deaf individual.
- There have been other issues in which an untrained poll person does not allow a person with hidden disability such as TBI, to be provided a requested accommodation from their support person because they do not believe the individual is a qualified voter with a disability entitled to a reasonable accommodation.

Other Access Issues



Some of the other access issues that have occurred as a result of SB 1 have included:

- Limitations on early voting hours and a ban on 24-hour voting.
- . The elimination of drive-thru voting centers.
- . The prohibition of mail-in ballot drop-boxes.
- . Limitations on the distribution of mail-in ballot applications.
- . And the needless creation of barriers for individuals with disabilities and others who have limited English proficiency, to exercise their right to vote, which goes against the principle of equitability.

Involvement of REV UP in new Texas voting law



This law violates the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 and Section 208 of the Voting Rights Act by imposing voting barriers that discriminate against voters with disabilities and deny people with disabilities full and equal opportunities to participate in our state's voting and elections.

As such, a lawsuit was filed by many organizations including Rev Up Texas focused on overturning the suppression of the DISABILITY VOTE! in SB1.

Learn more! Get involved and fight voter suppression!



Texans with disabilities CAN influence the outcome of the Presidential Primaries and General Election

'More than any time in memory:

➤ Elected leaders and political candidates are recognizing the MILLIONS of Americans with disabilities—from birth to advanced age—as a powerful, important constituency

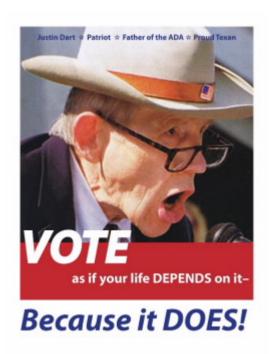
➤ Issues important to people with disabilities, including voter suppression, voting access issues and barriers, must be part of the platform for any candidate running for public office.

Join thousands of Americans with disabilities in this important and historic effort!

Don't Mourn...Organize, Register, and VOTE!
Make the DISABILITY VOTE Count!

A-APPX-2155 OCAGH_00000605_011_Native





"Vote as if your life depends on it

— **because it does!"**Justin Dart, Jr., Texan, patriot, father of the ADA

Left – photo of Justin Dart –"VOTE as if your life DEPENDS on it –because it DOES!"

Thank you!





- REV Up Texas
- CBFL Consumers
- Texas' New Voting Law by Julie Espinoza, Assistance Director, REACH of Plano



REV UP TEXAS!

The After-effect of Senate Bill 1
Presented by Julie Espinoza
Assistant Director
REACH of Plano
March 10, 2022





Presenter Julie Espinoza

Assistant Director

REACH of Plano

Serving on the REV UP Board of Directors under the Texas Disability Project &

Board of Directors of the Texas League of Women Voters





Confusion

Senate Bill 1 was a major voter suppression act in Texas last summer.

Had a "chilling" effect on minorities and especially voters with Disabilities.

Raised concerns about accommodations for physical assistance at the polls, access to certified sign language interpreters, assistance for voters with vison loss or blindness.



Mail in Ballot mayhem

So What Happened with all these Concerns with the recent Voting?

High rejection rates of mail in ballots

Reasons given hotly disputed

Increased fear of voting in person at the polls



Lower Turn out of Voters with Disabilities????

REV UP's Response

REV UP USE YOUR POWER SHOW!

Biweekly podcast on voting and the power of the Disability vote!

https://www.youtube.com/channel/UCy2Kx9gghKqEf_yOCT_2rfiw



Complaints gathered on voting issues:

Disability Rights of Texas

Texas Civil Rights Project

Election Protection APPX-2162

Key Points to Revving Up!

Register to Vote! Run off is May 24th. If not registered you can register before April 25th and <u>vote</u> in Runoff.

Texas Disabilities Issues Forum is Sept 19th hybrid in person in Austin and Statewide Watch parties!!! Goal is to build a historic turnout of the Disability Vote at the Nov 8th General Election. North Texas can be key to that turnout. REV UP wants to work with the community to make that happen

How: REGISTER folks in North Texas,
EDUCATE on issues, Turnout of the DISABILITY VOTE

Get excited to be part of the HISTORIC DISABILITY **VOTE**



What You Can do NEXT

- Join the REV UP Texas contact list so you can increase the power of the disability Vote!!
- https://www.revuptexas.org/
- Join the REV UP Flash mob filming on March 26th at the state Capitol.
 See link above for more info

Exhibit 157



NEW TEXAS VOTING LAW LEADS TO HIGH REJECTION OF MAIL-IN BALLOT APPLICATIONS MAIL-IN BALLOT INFORMATION AND IMPORTANT VOTING DATES

The Texas Primaries will be held on Tuesday, March 1, 2022. You must be **REGISTERED** by January 31, 2022 to vote in the primaries.

VOTE BY MAIL:

Last day to request Ballot by Mail APPLICATION:

FRIDAY, FEBRUARY 18, 2022

IF YOU WANT TO VOTE BY MAIL, REQUEST YOUR MAIL IN BALLOT APPLICATION TODAY!

Visit REVUPTEXAS.ORG to access the PowerPoint presentation on the changes SB 1 made to the MAIL IN BALLOT process and other important changes you should be aware of.

USEFUL LINKS TO GET MAIL IN BALLOT APPLICATION AND MAIL IN BALLOT INFORMATION:

https://www.lwvtexas.org/vote-mail

https://www.sos.texas.gov/elections/voter/regabbm.shtml

https://youtu.be/QXb7qMTMCNc

MAIL IN BALLOTS must be received by Your County:

POSTMARKED BY 7:00 PM ON MARCH 1, 2022

IMPORTANT TIPS

- Make Sure You Fill Out ALL the Information
- Mail-In Ballots and Mail in Ballot Application ask for either a Texas ID OR the Last Four Digits of Your Social Security Number.

WE SUGGEST ENTERING BOTH NUMBERS TO AVOID ANY PROBLEMS WITH YOUR BALLOT.

- CHECK WHICH PRIMARY YOU ARE VOTING IN (DEMOCRAT OR REPUBLICAN)
- SIGN THE BALLOT!

Again, the last day to request Ballot by Mail is FRIDAY, FEBRUARY 18, 2022

If you have any problems with a Mail-In Ballot Process, please contact:

Disability Rights Texas Voting Hotline

Call 1-888-796-VOTE(8683) AND send us an email at: revuptx@gmail.com



EARLY VOTING IN PERSON for the Texas Primaries (March 1, 2022)

FIRST DAY of Early Voting MONDAY, FEBRUARY 14, 2022 (Gotta LOVE VOTING)

LAST DAY of Early Voting FRIDAY, FEBRRUARY 25, 2022

For More Information Join the REV UP Texas Community and Show The

POWER OF THE DISABILITY VOTE

DISABILITY RIGHTS ARE CIVIL RIGHTS

www.revuptexas.org revuptx@gmail.com 512 431 4085

R EGISTER E DUCATE V OTE

U SE P OWER = The DISABILITY VOTE

ALL POLITICS ARE LOCAL!



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Disability Rights Texas Voting Hotline

Call 1-888-796-VOTE(8683) AND send us an email at: revuptx@gmail.com

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DISABILITY RIGHTS ARE CIVIL RIGHTS

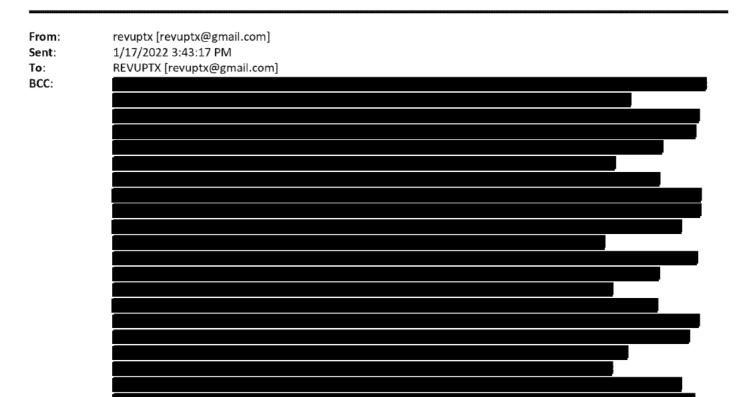
www.revuptexas.org revuptx@gmail.com 512 431 4085

R EGISTER E DUCATE V OTE

U SE P OWER = The DISABILITY VOTE

ALL POLITICS ARE LOCAL!

Exhibit 158



Subject: DISABILITY RIGHTS ARE CIVIL RIGHT * REV UP Texas Info Bullentin #2 * Mail in Ballot Texas

Attachments: MAIL IN BALLOT INFO-FINAL 2022.docx; MAIL IN BALLOT INFO-FINAL 2022.pdf

Texas Voting Rights Advocates:

As we celebrate Martin Luther King Day and advocate for needed federal legislation to protect voting rights let us not forget the saying ALL POLITICS ARE LOCAL.

SB 1 is currently the law. REV UP Texas is part of the litigation focused on overturning the suppression of the DISABILITY VOTE! in SB1.

REV UP Texas and other disability and voting rights organizations told the supporters of SB 1 that they were making the Mail in Ballot process so complicated for eligible disabled and older voters that it would suppress the vote.

This is not a Republican or Democratic Party issue

They ignored our recommendations.

Unfortunately we are being proven correct. Mail in Ballots Applications are being returned at historic rates in counties all over state.

Attached is an information bullentin to assist eligible mail in ballot recipients to navigate the system. It has helpful links from the League of Women Voters and the Secretary of State's office.

We urge you to report any problems you may have in the Mail in Ballot process to the contacts in the Info Bullentin.

The next REV UP Texas Info Bullentin will be on the Mail in Ballot portel to track your Mail in Ballot.

Don't Mourn Organize and REV UP

www.revuptexas.org revuptx@gmail.com 512 431 4085

NEW TEXAS VOTING LAW LEADS TO HIGH REJECTION OF MAIL-IN BALLOT APPLICATIONS Mail-In Ballot Information and Important Voting Dates

The Texas Primaries will be held on Tuesday, March 1, 2022. You must be **REGISTERED** by January 31, 2022 to vote in the primaries.

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FRIDAY, FEBRUARY 18, 2022

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https://www.sos.texas.gov/elections/voter/regabbm.shtml

https://youtu.be/QXb7qMTMCNc

MAIL IN BALLOTS must be received by Your County:

POSTMARKED BY 7:00 PM ON MARCH 1, 2022

IMPORTANT TIPS

- Make Sure You Fill Out ALL the Information
- •
- •

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 - WE SUGGEST ENTERING BOTH NUMBERS TO AVOID ANY PROBLEMS WITH YOUR BALLOT.

•

CHECK WHICH PRIMARY YOU ARE VOTING IN (DEMOCRAT OR REPUBLICAN)

SIGN THE BALLOT!

Again, the last day to request Ballot by Mail is FRIDAY, FEBRUARY 18, 2022

If you have any problems with a Mail-In Ballot Process, please contact:

Disability Rights Texas Voting Hotline

Call 1-888-796-VOTE(8683) AND send us an email at: revuptx@gmail.com

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For More Information Join the REV UP Texas Community and Show The

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U SE P OWER = The DISABILITY VOTE

ALL POLITICS ARE LOCAL!

Exhibit 159

000000000000000000000000000000000000000	
From: Sent: To: Subject:	revuptx [revuptx@gmail.com] 3/9/2022 12:39:29 PM Julie Espinoza [jespinoza@reachcils.org]; 'bob.adapt' [bob.adapt@sbcglobal.net] RE: REV UP TEXAS! After Voter Supression.pptx
Julie	
General	
Put Title or	n slides starting with 3
Add slide o	on what non partisan REV UP Texas stands for: REGISTER etc etc
	ray you can have a link to the powerpoint you did on Jeff's info? That gives then the specifics to the d confusion.
Mail in bal	lot application and ballots rejections over 25% in some counties.
Accomodat	cions paragraph:
Add people	with cognitive disabilities.
	enalities for assistants who may be accused of, telling rather assisting people with disabilities, how the potential of limiting the number of assistants.
Would put	in the Disability Rights Texas Voting Hotline #
Slide 5 REV UP To	exas Response
Dont Mour	n Organize and REV UP
Show the P	ower of the DISABILITY VOTE
Collecting	stories and data
REV UP T	exas part of SB 1 lawsuit about voter suppression.
Would put	all the information on voter registration link and key dates here
Education: Put Social l	Media links
Add slide:	
What Can	You Do:
Work with	REV UP Texas to:

Exhibit 160

From: revuptx [revuptx@gmail.com]
Sent: 1/15/2022 12:45:35 PM

To: Linda Litowsky [lindalitowsky@gmail.com]

Subject: Ballot by mail Early Voting Draft
Attachments: Texas' New Voting Law JM edits.pptx

DRAFT INFO BULLENTIN

MAIL IN BALLOT INFORMATION EARLY VOTING DATES

The Texas Primaries will be held on Tues March 1, 2022.

You must be REGISTERED by January 31, 2022 to vote in the primaries.

If you want to VOTE BY MAIL

- 1) Important dates and information on how the process works below;
- 2) Attached is a PowerPoint presentation on the changes SB 1 made to the MAIL IN BALLOT process and other important changes you need to be aware of. READ THIS CAREFULLY
- 3) IF YOU HAVE PROBLEMS WITH THE MAIL IN PROCESS PLEASE LET US KNOW AT revuptx@gmail.com

 AND

call Disability Rights Texas Voting Hotline

Call 1-888-796-VOTE (8683)

IMPORTANT DATES

First day to request BALLOT BY MAIL January 1, 2022

Last day to request BALLOT BY MAIL Friday February 18, 2022

IF YOU WANT TO VOTE BY MAIL REQUEST YOUR BALLOT APPLICATION TODAY!!!

USEFUL LINKS TO GET MAIL IN BALLOTS

https://www.lwvtexas.org/vote-mail

https://www.sos.texas.gov/elections/voter/reqabbm.shtml

https://youtu.be/QXb7qMTMCNc

MAIL IN BALLOT must be received by County by 7pm on March 1, 2022

IMPORTANT TIPS

GET YOUR REQUEST FOR A MAIL IN BALLOT TODAY!!!! LAST DAY TO REQUEST FEBRUARY 18TH

YOU MUST FILL OUT ALL THE INFORMATION;

IT ASKS FOR YOUR TEXAS ID OR LAST 4 DIGITS OF YOUR SOCIAL SECURITY #. WE SUGGEST ENTERING BOTH TO AVOID YOUR BALLOT BEING SENT BACK TO YOU.

SIGN THE BALLOT

EARLY VOTING IN PERSON FOR TEXAS PRIMARIES March 1st

First Day of EARLY VOTING Monday, February 14th (Gotta LOVE VOTING)

Last Day of EARLY VOTING Friday, February 25th

For Information Join the REV UP Texas Community and SHOW THE POWER OF THE DISABILITY VOTE

www.revuptexas.org revuptx@gmail.com 512 431 4085

Exhibit 161

From: revuptx [revuptx@gmail.com]

Sent: 2/7/2022 8:54:52 AM

To: Barrier Free Futures [barrierfree@ksfr.org]

Subject: FW: PBS story on SB 1

Attachments: REVUP Info Program PowerPoint(2)(1)(1).pdf; REVUPissuesPosterREV(4)(1)(1).png; Texas' New Voting Law JM

edits(1).pptx

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: revuptx < revuptx@gmail.com> Date: 1/29/22 5:18 PM (GMT-06:00)

To: Jessica Huseman < jhuseman@votebeat.org>

Cc: Lilian Aluri < laluri@aapd.com>

Subject: PBS story on SB 1

Jessica

Sent first email to mailchimp

Bob

----- Original message -----

From: revuptx <revuptx@gmail.com> Date: 1/29/22 5:11 PM (GMT-06:00)

To: "Jessica Huseman, Votebeat" <mailchimp@votebeat.org>

Cc: Lilian Aluri < laluri@aapd.com>

Subject: PBS story on SB 1

Jessica

Saw your part representing VoteBeat on the PBS story on the Texas SB 1 voter suppression bill.

Wanted you to know the Texas disability community (REV UP Texas) is part of the SB 1 lawsuit.

REV UP Texas www.revuptexas.org

is part of a national organizing effort of the disability community coordinated by the American Assn of People with Disabilities (AAPD) www.aapd.com/REVUP

The lead Coordinator is Lilian Aluri laluri@aapd.com

The Disability Vote, as an interest group is growing, but doesn't get much coverage in the the media

I've attached some info on REV UP Texas and a short Get Out The Disability Vote video we are using for the Primaries.

REV UP Texaa is also educating the Texas disability community on what is in SB 1. (attached)

"Don't Dis the Vote"

https://vimeo.com/662752792

Thank you for covering the Disability Vote.

Onward to...

Bob Kafka, Coordinator
REV UP Texas
www.revuptexas.org
revuptx@gmail.com
512 431 4085

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

----- Original message -----

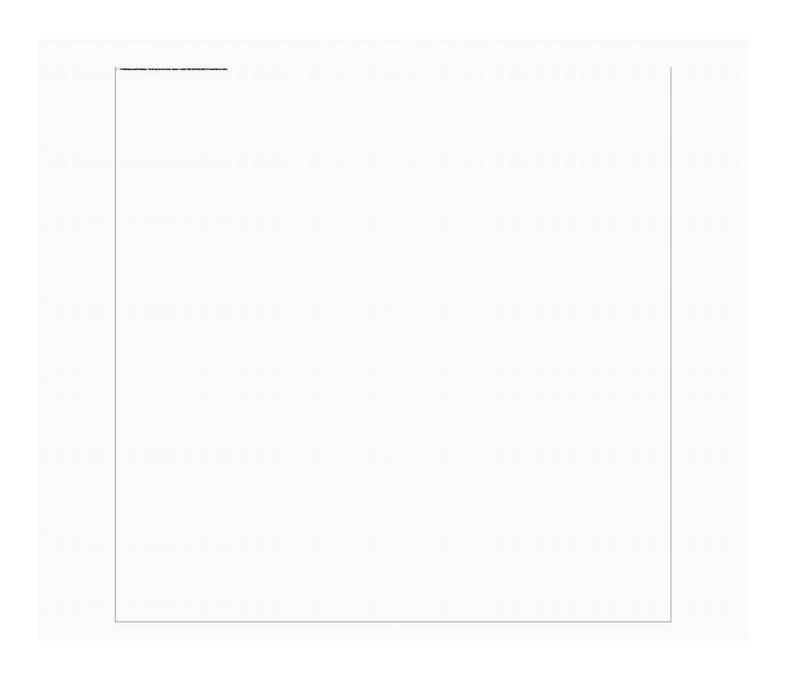
From: "Jessica Huseman, Votebeat" <mailchimp@votebeat.org>

Date: 1/29/22 6:15 AM (GMT-06:00)

To: revuptx@gmail.com

Subject: The missing context in the debate about Halderman's Dominion report

View this email in your browser





Hi y'all.

Conspiracy theories <u>collided in Georgia</u> this week, resulting in additional confusion in a long-standing lawsuit over the state's use of Dominion voting machines. At the center of efforts by entities on both the left and right is a court-sealed report by University of Michigan computer scientist J. Alex Halderman claiming that the Dominion voting system has a vulnerability that could be exploited — but hasn't yet — to manipulate votes in a future election.

Fox News and One America News Network <u>are now seeking a copy of the report</u>, and this week the <u>Atlanta Journal-Constitution</u> suggested Georgia's secretary of state had ignored the report, leaving gaping holes in the state's election system. There's much, much more to the story. The upshot is that this lawsuit continues to be used today by those perpetuating Trump's Big Lie as evidence of their claims.

The lawsuit was initially filed in 2017 by left-leaning groups including the Coalition for Good Governance, to force Georgia to use paper-backed voting machines. At the time, Georgia was using outdated DRE machines. Then the state, on its own initiative, replaced the machines in 2020 with a paper-backed voting system built by Dominion. But the lawsuit didn't stop. It instead shifted to alleging that the *new* system was so insecure as to be unconstitutional.

The plaintiffs have not succeeded in convincing a judge of their arguments over the past four years, even when supplemented by Halderman's report. While U.S. District Judge Amy Totenberg has expressed public concern over the system, she has not been persuaded enough to, <u>for example</u>, force the state to use hand-marked paper ballots, as the plaintiffs have demanded. So far, Totenberg has not forced the state to make any major changes to its voting system as a result of the litigation, now known as *Curling v. Raffensperger*.

Experts who have reviewed Halderman's report, such as Juan Gilbert, the University of Florida's computer science department chair, have not found it to be nearly as dire as Halderman has publicly suggested. As part of the suit, Judge Totenberg granted Halderman unfettered access to the Dominion voting system in order to inspect the security of the machines. Because of his access, Totenberg sealed the report, making it available to only the attorneys on the case and the expert witnesses. And even though the state on Thursday asked Totenberg to unseal the document so as to clear public confusion, she seemed unready to do so.

"I'm unhappy about the course of political treatment of the report.... it's out of hand,"

Totenberg said in court. "But I'm not going to release it without seeing what is being proposed with redactions."

Still, the general contents of the report aren't exactly a secret. Halderman has long claimed that ballot-marking devices could be manipulated by malicious actors. In a brief no one asked him to write, Halderman made public a high-level summary of his findings in early August.

Marilyn Marks, the executive director of the Coalition for Good Governance who is among the plaintiffs in the *Curling* case, then distributed this summary to every county in Georgia by email the day after Halderman filed his report. Votebeat was provided with a copy of the email. She called Halderman's finding an "urgent concern," alarming enough for counties "to reconsider their use of BMDs this fall, and instead use hand marked paper ballots with voluntary robust audits." No county acted on her warning.

Despite Judge Totenberg sealing Halderman's assessment, the publicity campaign the plaintiffs have mounted over the report — which none of them has seen in full — has resulted in two media dustups over its contents, to the obvious discontent of Totenberg. The first was in August, when Halderman first publicized what he claimed were massive security flaws in the system, and then this week, when the Atlanta Journal-Constitution reported that the state had done nothing to unseal the report or to act on its findings. This is the exact kind of speculation Totenberg sought to prevent when she sealed the report. While the report has only been read by Halderman, the lawyers in the *Curling* case, and other expert witnesses, the AJC quoted multiple people who have no knowledge of the report's details but who nonetheless implored the state to act. That's not the responsible way to present these issues.

The report, as far as is publicly known, does little to materially advance what Halderman has been claiming about ballot-marking devices for years. And, it's not a surprise that he found ways to infiltrate the system. Judge Totenberg gave Halderman complete access to the machines along with passwords, and his report indicates that he did his research over 12 weeks. If you gave me access to a bank for 12 weeks, handed me the keys, and told the security guards to stand down, I'm pretty sure I could rob it. This is an unrealistic threat scenario that ignores the existence of physical security measures, machine testing, and risk limiting audits.

"The security of the system isn't dependent only on the system itself, but everything that surrounds it. The seals, the padlocks, the cameras." said Tammy Patrick, a senior advisor at the Democracy Fund and former elections administrator in Maricopa County, Arizona. "If you leave the keys in an unlocked car and you're surprised I can drive away in it, that's not a measure of the car's security."

Dominion and the secretary of state offered similar responses when the debate resurfaced this week. In a statement, Dominion said the best way to review security is holistically—taking into account "procedural and technical safeguards," but that Halderman's review "did not take this approach." The secretary of state's office, in its statement, said the review was written "by an individual who is paid to espouse opinions supporting the elimination of electronic voting systems."

That's punchy — you might expect as much from a defendant in a lawsuit — but neither statement is altogether untrue. Halderman is being paid. His assessment was done with more access to the system than any bad actor would have, and has been reviewed by two state experts, neither of whom was persuaded that the state's system was at imminent risk of harm. Halderman himself has repeatedly and publicly acknowledged there is no evidence that the machines were manipulated in 2020.

Election security has made large strides since 2016, which reporters need to do a more fulsome job explaining. It is increasingly common for counties to conduct extensive post-election audits, which check for unexplainable discrepancies between the machines' vote counts and counts of the actual ballots. Election offices across the country have shored up chain-of-custody procedures for ballots and election equipment, and have phased out paperless voting machines almost entirely. States have also long conducted specific logic and accuracy testing for voting machines, and these tests are routinely performed. Patrick says that focusing on unrealistic cybersecurity threats is "disingenuous" and "diverts the energy that we need to put forth in getting productive policies in place, and further muddies the public's understanding of what good security looks like."

Allowing such unfettered access isn't without value: If Halderman had, for example, been able to affect the ballots in a way that could not be detected and prevented by safeguards like risk limiting audits or standard quality checks, these problems should be addressed. But neither the AJC article nor those who have seen the report assert that he found such vulnerabilities.

Still, folks are clamoring to get access to Halderman's sealed report. The state of Louisiana, Fox News, and One America News Network have all asked Judge Totenberg to see it.

Louisiana — which has already been denied access — says it wants a copy because it's considering buying a Dominion system and would like to see what the vulnerabilities are. Fox and OANN want it because they think it might contradict Halderman's testimony in defamation

lawsuits filed by Dominion and by Eric Coomer, a former Dominion employee. In that case, Halderman <u>testified in defense of Coomer</u> and his work at Dominion — Coomer's work was high quality, Halderman says, and there is no evidence that Dominion machines were compromised.

Despite what Fox News's lawyers might hope, Halderman's positions in each lawsuit are not necessarily contradictory. It could well be true that the 2020 election was secure — as he asserts in the Fox defamation suit — and that untapped vulnerabilities still exist in Dominion systems — as he asserts in the *Curling* suit.

But this is not the only time right-wing spreaders of the Big Lie have embraced the *Curling* lawsuit to back their false claims. A week ago, <u>Politico reported</u> on the text of a never-seen Trump executive order that would have dispatched the military to seize voting machines. The <u>order</u>, dated Dec. 16, 2020, specifically references the *Curling* lawsuit in justifying the federal government to "seize, collect, retain and analyze all machines, equipment, electronically stored information, and material records" from the election. The order would have given the defense secretary 60 days to release a report on the machines' security — a move that would have thrown the election into uncertainty well into February 2021.

Unlike Trump's allies, we should resist falling into the logical trap of assuming that potential vulnerabilities in the machines mean they have already been exploited. We should also be clear-eyed about the link between this lawsuit and the raging fire of the Big Lie. David Becker, executive director and founder of the Center for Election Innovation & Research, says it is "simply a fact that then-President Trump used these failed claims to justify his failed coup" and his unsigned executive order.

"Whatever their intentions, it's undeniable that those who have brought recent claims in courts attempting to decertify particular voting machines they didn't like — all of which have failed — have found their claims and testimony used by election deniers who seek to undermine voter confidence and the legitimacy of the 2020 election and future elections," Becker said.

Journalists covering the *Curling* suit and Halderman report should always — every single time the case is mentioned — make explicit that the suit's arguments have been turned into a primary piece of evidence for Big Lie adherents claiming the 2020 election was stolen through manipulated Dominion machines. These details should not be drowned out by alarmist quotes, alleging vulnerabilities that no one else has confirmed. And they should also explain

that Halderman's report was based on unfettered access to the system, which is not analogous to a real-world environment on Election Day.

It might be uncomfortable for many that a left-leaning activist group's accusations against Dominion — none of which have, so far, flown in court — were a basis for Trump's claims to continued power. But it is true. And now Fox and OANN are seeking the same sensitive information to potentially twist to their own advantage. This is a complicated mess, but it's important that journalists untangle this context in every story they write on the subject. Including anything less than this distorts the reality of the problem, and risks introducing unfounded doubts among voters about the security of their voting system.

Back Then

Since direct-recording electronic machines became popular as a response to the disputed 2000 presidential election, there have been folks advocating for paper instead. In 2003, Rep. Rush Holt (D-New Jersey) introduced a bill that would have required a paper trail in all federal elections. It went nowhere, and he introduced it again in 2007, when it, again, went nowhere. It received substantial opposition from others in Congress as well as state election officials. It was rejected by most Republican members of Congress as overtly partisan — sour grapes resulting from George W. Bush's victory. State election officials worried about the tight timeline, unfunded financial demands, and federal overreach. More than a decade later, most states have made this transition on their own.

Correction: Last week's newsletter mistakenly said the Texas Legislature passed its voting bill in the third special session last summer. It passed in the second special session.

In Other Voting News

- President Trump is redoubling his push for dropbox bans across the country, and a
 number of Republicans are <a href="https://hopping.on.org/hopping.com/hopping.c
- Attorneys for Election Systems & Software have informed the Republican-led election investigation in Wisconsin that they have no intention of complying with a broad subpoena for the company's data and information. In a letter to former Wisconsin Supreme Court Justice Michael Gableman, who is running the investigation, ES&S attorneys called the subpoena a "quintessential fishing expedition."
- Following false coverage of the Electronic Registration Information Center a nonprofit several dozen states use to help maintain their voter rolls by Gateway Pundit, the state of Louisiana has ended its use of the program. Gateway Pundit unleashed a fuselage of false charges against ERIC, including accusations that the program is a leftist plot funded by George Soros. In truth, it is used and overseen by more than 30 member states, including Republican-governed states such as Kentucky, Missouri, Ohio, Alabama, Georgia, and Florida.
- Gjergi Luke Juncaj of Las Vegas, <u>was criminally charged</u> this week for making threats
 against an election administrator in Nevada. The man allegedly made repeated
 threatening calls, including telling the administrator she was "going to f—ing die" for
 stealing the election from Trump.
- After wavering due to cost projections, the Indiana Legislature has re-added a 2024 deadline for counties to institute paper backups to their voting machines. While the deadline is back, there continues to be no funding for the measure, and counties will be required to foot the cost on their own.
- The overwhelmingly Democratic Massachusetts House has approved a measure that would make vote by mail and early balloting permanent in the state. The state Senate approved a similar bill several weeks ago, which will now be reconciled with the House bill. The status of same-day registration, which advocates have been loudly asking for in the state, is less certain.
- Counties in Texas continue to report high rejection rates of absentee ballot applications due to the new law's ID requirement. Meanwhile, Travis County Clerk Dana DeBeavoir has retired after 36 years on the job. She's overseen a tremendous

amount of change since she took the helm in the mid-80s, and even in retirement she's not leaving elections. "What really kind of tipped me over the edge is I'd really like to do international elections work and do some work nationally on elections, on audits and elections ethics," she told KUT.

- Attention South Carolina teens: Effective now, if you are currently 17 but will be 18 before Election Day, you can go ahead and register to vote!
- A bill by Nebraska Sen. Mike Groene (R-North Platte) would have dramatically shortened early voting in the state <u>but fell flat on its face</u>. Not a single member of the committee voted for it, and no one testified in favor.

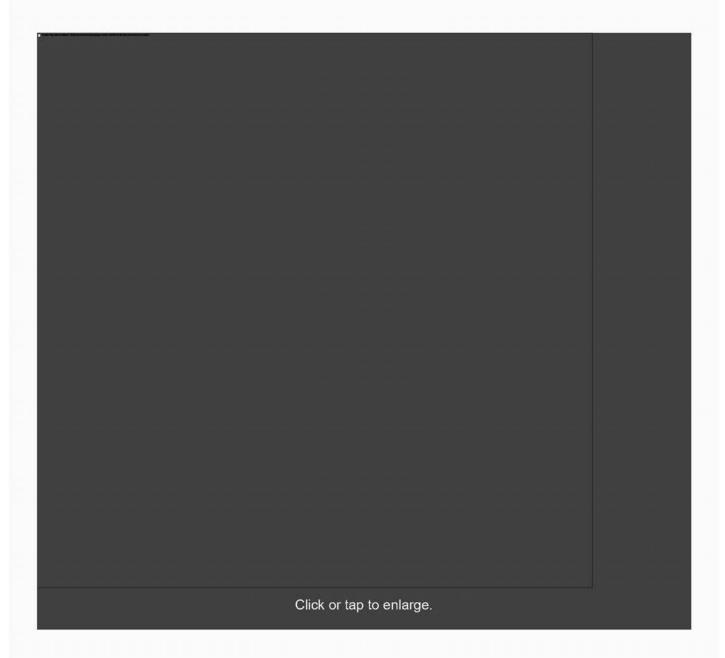
Newest Addition to Votebeat

Y'all, it is *new intern day*. Please meet Brianna Fisher, a sophomore at the University of Pennsylvania who is majoring in criminology with a minor in survey research and data analytics. She's going to be using all of those skills to help Votebeat journalists effectively use data in our stories and will be doing some reporting of her own. "I want to be able to use data, research, and legal experience to work on criminal justice reform — particularly related to prisons and sentencing," she said.

All of the intricate data in the voting world and its growing relationship to the criminal justice system, Brianna thought our news org would be a good place to grow. "I decided to come work at Votebeat because it is a great opportunity for me to help make election information and data accessible and, most importantly, fun to read!"

To be desired and the best between the second and							
Brianna is from Broward County, Florida, so she's well aware of the importance of election administration. This also isn't her <u>first journalism gig</u> : She, along with other staffers of the newspaper of Stoneman Douglas High School in Parkland, Florida, were <u>recognized by the Pulitzer Prize committee</u> for their coverage of the 2018 school shooting.							
Brianna will be keeping up our hobby section! Please <u>submit yours</u> . Her hobby? Dancing! "I danced for 15 years growing up," she said. "I took classes in every style you can think of, from ballet to hip hop, and even helped teach younger kids." She tried other sports, but nothing she loved quite as much.							

Infographic of the Week



In honor of her hometown, Brianna's <u>infographic</u> of the week is a nifty look at where the good folks of Broward County dropped off their ballots during the <u>Jan. 11 special election</u>. As you can see, a Supervisor of Elections office at Lauderhill Mall and Tamarac Branch Library, were voter favorites. And shout out to all of you procrastinators — we see those final-day drop offs!

In Case You Missed It The video of the panel I participated in with Rick Hasen, Margaret Sullivan and Barton Gellman is up. Watch our conversation on what journalists can (and should!) do to prevent another Jan. 6. Did you receive this email from a friend? Have a question for our journalists? **Donate**

Chalkbeat PO:Box 300424 Brooklyn, NY 11230-0434

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ou can update your preferences or unsubscribe from this list

revuptx [revuptx@gmail.com] From: 3/25/2022 10:29:54 AM Sent:

REVUPTX [revuptx@gmail.com] To:

BCC:

Subject: KPFT story on REV UP Texas

https://youtu.be/7vS5SBgeEUI

"The primary unfortunately proved all the negative outcomes that we predicted if Senate Bill 1 would pass." Bob Kafka @REVUP_Texas on registering voters for May vote & Saturday's flashmob at the capitol KPFTHouston 90.1 FM Peoples News 8 PM https://youtu.be/7vS5SBgeEUl

Also mentions Register2Vote.org

www.revuptexas.org revuptx@gmail.com 512 431 4085

From: revuptx < revuptx@gmail.com>

Sent: Thursday, January 13, 2022 10:22 PM

To: Lena I. Jackson < ljackson@newshour.org>

Subject: Re: PBS Newshour & SB 1

Lena:

Happy New Year!

2022 seems like deja vu all over again.

Early voting Feb 14th (Gotta LOVE TO VOTE) - Feb 25th

Because of Omnicron we right now are promoting Voter Registration (have to be REGISTERED by January 31st). See below!

Monday sending out info bullentin on MAIL IN BALLOTS. You have to request a MAIL IN BALLOT by February 18th. All MAIL IN BALLOTS have to be received by 7pm on March 1st Election Day.

We have developed this general Get Out The Disability Vote (GOTDV) video.

https://vimeo.com/662752792

Right now don't have specific plans to share, but I know we will focus on EARLY VOTING and MAIL IN BALLOTS before and during EARLY VOTING days.

Let me know as your plans firm up.

Appreciate your doing this story.

People with disabilities, people of color and low income Texans have been targeted in this legislation.

Onward to...

Bob

www.revuptexas.org revuptx@gmail.com

512 431 4085

REGISTRATION INFO BULLENTIN
REV UP Texans:
Happy New Year
Though the new Texas voting laws passed in 2021 have put new obstacles in our way in exercising our right to vote, REV UP Texas says:
Don't Mourn Organize and REV UP!
To "Show the Power of the Disability Vote" people with disabilities and our allies must REGISTER in record numbers for the March 1st Texas Primaries.
You must be REGISTERED TO VOTE by January 31, 2022 to vote in the March 1st Texas Primaries.
Though Texas does not have online voter registration REV UP Texas is working with Register2Vote for a simple way to register or change your address using an online process.
THIS IS HOW IT WORKS
Go to the REV UP Texas website www.revuptexas.org and click on the Register2Vote icon.
You can also use the link below:
https://register2vote.org/?Org=RevUpTX
WHAT DO I DO:
Fill out the requested information on the form that appears;
Hit submit;

OCA-APPX-2202

In approximately 2 weeks you will receive a filled out Voter Registration form with the information you submitted online and a Postage Paid envelope with the correct County information return address;

Review the information for correctness, sign and date the Voter Registration form;

Place the form in the Postage Paid envelope and mail it.

Please distribute this information throughout your community. Please use your Social Media resources to spread the word.

POWER = The Disability Vote!

www.revuptexas.org revuptx@gmail.com 512 431 4085

R EGISTER E DUCATE V OTE

U SE P OWER

Coming REV UP INFO #2 - Mail in Ballot

ALL POLITICS ARE LOCAL

----- Original message -----

From: "Lena I. Jackson" < ljackson@newshour.org>

Date: 1/13/22 5:42 PM (GMT-06:00) To: revuptx <revuptx@gmail.com> Subject: Re: PBS Newshour & SB 1

Hi Bob,

Happy new year! Hope you're doing well. I'm trying to figure out a good time to travel to Austin in February and was thinking the first few days of early voting would be good.
What's your schedule like? Will you be doing any GOTV activities? Or any other outreach work?
Thanks!
Lena
From: revuptx@gmail.com> Date: Monday, November 29, 2021 at 8:48 PM To: Lena I. Jackson@newshour.org> Subject: Re: PBS Newshour & SB 1
Lena:
Does 3:30pm central work?
Onward to
Adelante
Bob
512 431 4085

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone
Original message
From: "Lena I. Jackson" <ljackson@newshour.org></ljackson@newshour.org>
Date: 11/29/21 5:33 PM (GMT-06:00)
To: revuptx <revuptx@gmail.com></revuptx@gmail.com>
Subject: Re: PBS Newshour & SB 1
Hey Bob,
Nice to hear from you! I can't do tomorrow at 11am CT. Would later in the day work? I'm flexible any time after 1pm CT.
Thanks,
Lena
From: revuptx <revuptx@gmail.com></revuptx@gmail.com>

Date: Monday, November 29, 2021 at 2:10 PM To: Lena I. Jackson < ljackson@newshour.org > Subject: PBS Newshour & SB 1
Lena:
Glad to meet you.
Appreciate you doing a story on Texas election issues.
We have gone from absurd to absurder (not sure a word)
Does Tues the 30th at 11am central work for a phone call?
512 431 4085.
Let me know or I can call you.
Looking forward to it.
Onward to Adelante
Bob Kafka
www.revuptexas.org
revuptx@gmail.com

Original message
From: "Lena I. Jackson" <ljackson@newshour.org></ljackson@newshour.org>
Date: 11/23/21 5:41 PM (GMT-06:00)
To: Bob Kafka <bob.adapt@sbcglobal.net></bob.adapt@sbcglobal.net>
Subject: Re: PBS Newshour & SB 1
Hi Summer and Bob, Thanks for the introduction and nice to meet you! Bob – let me know if you have time to speak sometime next week. I'm flexible Monday – Wednesday.
Talk soon,
Lena

From: Summer Mandell <smandell@thearcoftexas.org> Date: Tuesday, November 23, 2021 at 3:05 PM To: Lena I. Jackson ljackson@newshour.org>, Bob Kafka <bob.adapt@sbcglobal.net> Subject: PBS Newshour & SB 1</bob.adapt@sbcglobal.net></smandell@thearcoftexas.org>
Hi Lena and Bob,
I'd like to connect you both so you can find a time to talk about what is going on here in Texas with the new voting law. Unfortunately, this isn't Bob's first rodeo with bad Texas legislation, but that means he's got in-depth knowledge and great insights to offer.
Bob's number is 512-431-4085 and he is cc'd on this email. I will leave it to the two of you to determine how you'd like to connect, but don't hesitate to ask if you might need my assistance.
All the best,
Summer

From: revuptx [revuptx@gmail.com]
Sent: 1/29/2022 5:11:27 PM

To: Jessica Huseman, Votebeat [mailchimp@votebeat.org]

CC: Lilian Aluri [laluri@aapd.com]
BCC: helenaberger@verizon.net

Subject: PBS story on SB 1

Attachments: REVUP Info Program PowerPoint(2)(1)(1).pdf; REVUPissuesPosterREV(4)(1)(1).png; Texas' New Voting Law JM

edits(1).pptx

Jessica

Saw your part representing VoteBeat on the PBS story on the Texas SB 1 voter suppression bill.

Wanted you to know the Texas disability community (REV UP Texas) is part of the SB 1 lawsuit.

REV UP Texas www.revuptexas.org

is part of a national organizing effort of the disability community coordinated by the American Assn of People with Disabilities (AAPD) www.aapd.com/REVUP

The lead Coordinator is Lilian Aluri laluri@aapd.com

The Disability Vote, as an interest group is growing, but doesn't get much coverage in the media

I've attached some info on REV UP Texas and a short Get Out The Disability Vote video we are using for the Primaries.

REV UP Texaa is also educating the Texas disability community on what is in SB 1. (attached)

"Don't Dis the Vote"

https://vimeo.com/662752792

Thank you for covering the Disability Vote.

Onward to...

Bob Kafka, Coordinator REV UP Texas www.revuptexas.org revuptx@gmail.com 512 431 4085

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

----- Original message -----

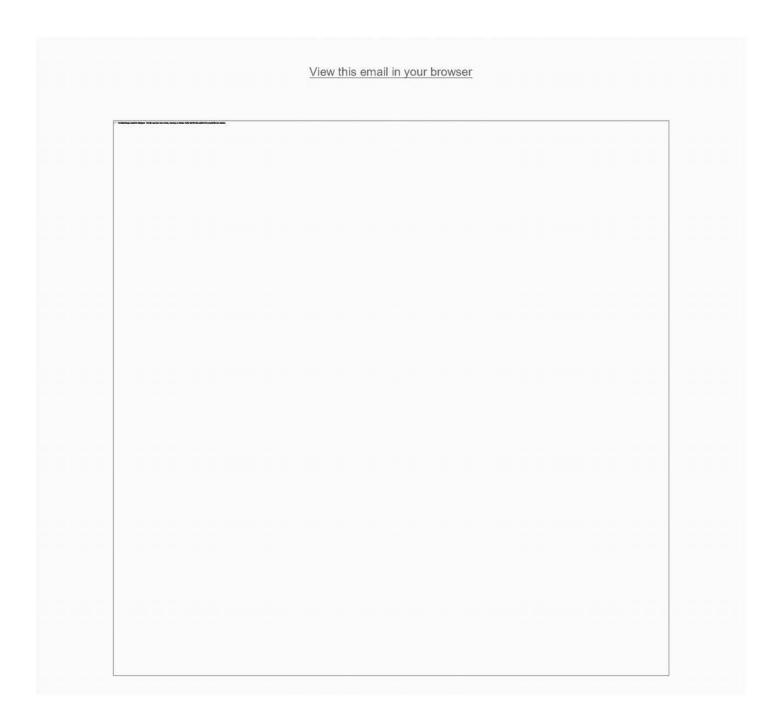
From: "Jessica Huseman, Votebeat" <mailchimp@votebeat.org>

Date: 1/29/22 6:15 AM (GMT-06:00)

To: revuptx@gmail.com

Subject: The missing context in the debate about Halderman's Dominion report

No the projection of money about parties being which consecute support which can be consecuted by the state of





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Allowing such unfettered access isn't without value: If Halderman had, for example, been able to affect the ballots in a way that could not be detected and prevented by safeguards like risk limiting audits or standard quality checks, these problems should be addressed. But neither the AJC article nor those who have seen the report assert that he found such vulnerabilities.

Still, folks are clamoring to get access to Halderman's sealed report. The state of Louisiana, Fox News, and One America News Network have all asked Judge Totenberg to see it.

Louisiana — which has already been denied access — says it wants a copy because it's considering buying a Dominion system and would like to see what the vulnerabilities are. Fox and OANN want it because they think it might contradict Halderman's testimony in defamation

lawsuits filed by Dominion and by Eric Coomer, a former Dominion employee. In that case, Halderman <u>testified in defense of Coomer</u> and his work at Dominion — Coomer's work was high quality, Halderman says, and there is no evidence that Dominion machines were compromised.

Despite what Fox News's lawyers might hope, Halderman's positions in each lawsuit are not necessarily contradictory. It could well be true that the 2020 election was secure — as he asserts in the Fox defamation suit — and that untapped vulnerabilities still exist in Dominion systems — as he asserts in the *Curling* suit.

But this is not the only time right-wing spreaders of the Big Lie have embraced the *Curling* lawsuit to back their false claims. A week ago, <u>Politico reported</u> on the text of a never-seen Trump executive order that would have dispatched the military to seize voting machines. The <u>order</u>, dated Dec. 16, 2020, specifically references the *Curling* lawsuit in justifying the federal government to "seize, collect, retain and analyze all machines, equipment, electronically stored information, and material records" from the election. The order would have given the defense secretary 60 days to release a report on the machines' security — a move that would have thrown the election into uncertainty well into February 2021.

Unlike Trump's allies, we should resist falling into the logical trap of assuming that potential vulnerabilities in the machines mean they have already been exploited. We should also be clear-eyed about the link between this lawsuit and the raging fire of the Big Lie. David Becker, executive director and founder of the Center for Election Innovation & Research, says it is "simply a fact that then-President Trump used these failed claims to justify his failed coup" and his unsigned executive order.

"Whatever their intentions, it's undeniable that those who have brought recent claims in courts attempting to decertify particular voting machines they didn't like — all of which have failed — have found their claims and testimony used by election deniers who seek to undermine voter confidence and the legitimacy of the 2020 election and future elections," Becker said.

Journalists covering the *Curling* suit and Halderman report should always — every single time the case is mentioned — make explicit that the suit's arguments have been turned into a primary piece of evidence for Big Lie adherents claiming the 2020 election was stolen through manipulated Dominion machines. These details should not be drowned out by alarmist quotes, alleging vulnerabilities that no one else has confirmed. And they should also explain

that Halderman's report was based on unfettered access to the system, which is not analogous to a real-world environment on Election Day.

It might be uncomfortable for many that a left-leaning activist group's accusations against Dominion — none of which have, so far, flown in court — were a basis for Trump's claims to continued power. But it is true. And now Fox and OANN are seeking the same sensitive information to potentially twist to their own advantage. This is a complicated mess, but it's important that journalists untangle this context in every story they write on the subject. Including anything less than this distorts the reality of the problem, and risks introducing unfounded doubts among voters about the security of their voting system.

Back Then

Since direct-recording electronic machines became popular as a response to the disputed 2000 presidential election, there have been folks advocating for paper instead. In 2003, Rep. Rush Holt (D-New Jersey) introduced a bill that would have required a paper trail in all federal elections. It went nowhere, and he introduced it again in 2007, when it, again, went nowhere. It received substantial opposition from others in Congress as well as state election officials. It was rejected by most Republican members of Congress as overtly partisan — sour grapes resulting from George W. Bush's victory. State election officials worried about the tight timeline, unfunded financial demands, and federal overreach. More than a decade later, most states have made this transition on their own.

Correction: Last week's newsletter mistakenly said the Texas Legislature passed its voting bill in the third special session last summer. It passed in the second special session.

In Other Voting News

- Attorneys for Election Systems & Software have informed the Republican-led election investigation in Wisconsin that they have no intention of complying with a broad subpoena for the company's data and information. In a letter to former Wisconsin Supreme Court Justice Michael Gableman, who is running the investigation, ES&S attorneys called the subpoena a "quintessential fishing expedition."
- Following false coverage of the Electronic Registration Information Center a
 nonprofit several dozen states use to help maintain their voter rolls by Gateway
 Pundit, the state of Louisiana has ended its use of the program. Gateway Pundit
 unleashed a fuselage of false charges against ERIC, including accusations that the
 program is a leftist plot funded by George Soros. In truth, it is used and overseen by
 more than 30 member states, including Republican-governed states such as Kentucky,
 Missouri, Ohio, Alabama, Georgia, and Florida.
- Gjergi Luke Juncaj of Las Vegas, <u>was criminally charged</u> this week for making threats against an election administrator in Nevada. The man allegedly made repeated threatening calls, including telling the administrator she was "going to f—ing die" for stealing the election from Trump.
- After wavering due to cost projections, the Indiana Legislature has re-added a 2024 deadline for counties to institute paper backups to their voting machines. While the deadline is back, there continues to be no funding for the measure, and counties will be required to foot the cost on their own.
- The overwhelmingly Democratic Massachusetts House has approved a measure that would make vote by mail and early balloting permanent in the state. The state Senate approved a similar bill several weeks ago, which will now be reconciled with the House bill. The status of same-day registration, which advocates have been loudly asking for in the state, is less certain.
- Counties in Texas continue to report high rejection rates of absentee ballot applications due to the new law's ID requirement. Meanwhile, Travis County Clerk
 Dana DeBeavoir has retired after 36 years on the job. She's overseen a tremendous

amount of change since she took the helm in the mid-80s, and even in retirement she's not leaving elections. "What really kind of tipped me over the edge is I'd really like to do international elections work and do some work nationally on elections, on audits and elections ethics," she told KUT.

- Attention South Carolina teens: Effective now, if you are currently 17 but will be 18 before Election Day, you can go ahead and register to vote!
- A bill by Nebraska Sen. Mike Groene (R-North Platte) would have dramatically shortened early voting in the state <u>but fell flat on its face</u>. Not a single member of the committee voted for it, and no one testified in favor.

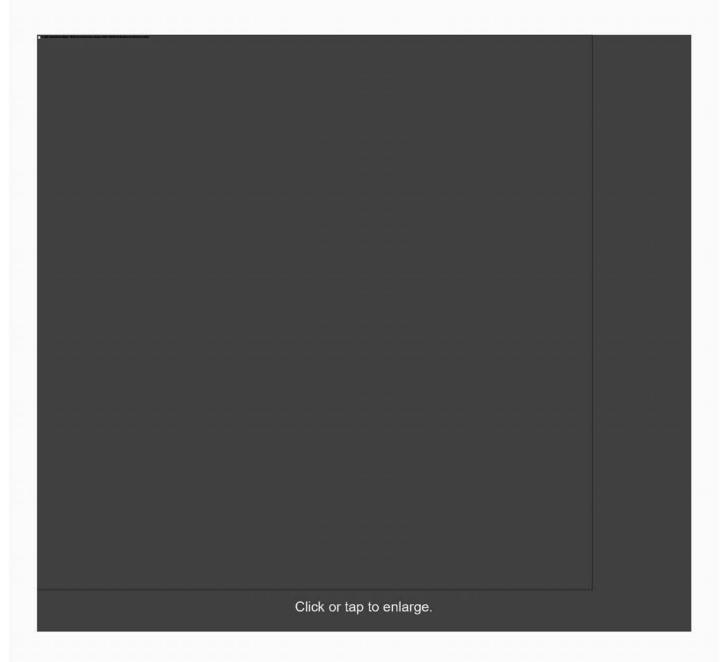
Newest Addition to Votebeat

Y'all, it is *new intern day*. Please meet Brianna Fisher, a sophomore at the University of Pennsylvania who is majoring in criminology with a minor in survey research and data analytics. She's going to be using all of those skills to help Votebeat journalists effectively use data in our stories and will be doing some reporting of her own. "I want to be able to use data, research, and legal experience to work on criminal justice reform — particularly related to prisons and sentencing," she said.

All of the intricate data in the voting world and its growing relationship to the criminal justice system, Brianna thought our news org would be a good place to grow. "I decided to come work at Votebeat because it is a great opportunity for me to help make election information and data accessible and, most importantly, fun to read!"

To be the second of the second	ness Cama had Vallet upt blooming a same				
Brianna is from Broward County, Florida, so she's well aware of the importance of election administration. This also isn't her <u>first journalism gig</u> : She, along with other staffers of the newspaper of Stoneman Douglas High School in Parkland, Florida, were <u>recognized by the Pulitzer Prize committee</u> for their coverage of the 2018 school shooting.					
Brianna will be keeping up our hobby section! Please <u>submit yours</u> . Her hobby? Dancing! "I danced for 15 years growing up," she said. "I took classes in every style you can think of, from ballet to hip hop, and even helped teach younger kids." She tried other sports, but nothing she loved quite as much.					

Infographic of the Week



In honor of her hometown, Brianna's <u>infographic</u> of the week is a nifty look at where the good folks of Broward County dropped off their ballots during the <u>Jan. 11 special election</u>. As you can see, a Supervisor of Elections office at Lauderhill Mall and Tamarac Branch Library, were voter favorites. And shout out to all of you procrastinators — we see those final-day drop offs!

In Case You Missed It The video of the panel I participated in with Rick Hasen, Margaret Sullivan and Barton Gellman is up. Watch our conversation on what journalists can (and should!) do to prevent another Jan. 6. Did you receive this email from a friend? Have a question for our journalists? **Donate**

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From: revuptx [revuptx@gmail.com]

Sent: 2/9/2022 9:45:37 AM

To: Sneha Dey [sneha.dey@texastribune.org]

Subject: Re: The Texas Tribune inquiry

Attachments: REV UP - GENERAL INFO(2)(1).docx; Texas' New Voting Law JM edits(1).pptx

Sneha

Talk to you at 1pm

Onward to...

www.revuptexas.org revuptx@gmail.com

Bob

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Sneha Dey <sneha.dey@texastribune.org>

Date: 2/9/22 8:22 AM (GMT-06:00)

To: revuptx@gmail.com

Subject: Re: The Texas Tribune inquiry

Hi Bob.

I wanted to follow up on this request. Let me know if you have some time to chat today or tomorrow.

Thank you,

Sneha

On Mon, Feb 7, 2022 at 12:17 PM Sneha Dey < sneha.dey@texastribune.org > wrote:

Hi Bob,

This is Sneha Dey, The Texas Tribune reporter working with Alexa Ura on voting coverage during this primary election cycle.

As Alexa has mentioned in earlier emails, we're doing a story ahead of early voting about the changes to voter assistance rules. I'd love to chat with you about how the new rules are changing the kinds of guidance you're providing to folks.

Do you have some availability this week? Feel free to reach me directly at 914-413-6624 any time -- text or call works great.

Thanks so much. I'm really looking forward to speaking with you.

Warmest regards,

Sneha

From: revuptx [revuptx@gmail.com]
Sent: 1/26/2022 1:14:00 PM

To: Alexa Ura [aura@texastribune.org]
CC: Sneha Dey [sneha.dey@texastribune.org]

Subject: Re: BallotTracker - Ballot By Mail Application and Ballot Tracker

Attachments: Texas' New Voting Law JM edits(1).pptx; REVUP Info Program PowerPoint(2)(1)(1).pdf

Alexa/Sneha:

Thx for the note.

Will connect you with folks as we get their feedback

Ive attached a powerpoint we developed with input from DRTx on the concerns we have with SB1 including the issue of "Assistance".

The DISABILITY VOTE is growing and we fear SB 1 will inhibit this growth.

Thx for following this issue.

Bob

Sent via the Samsung Galaxy S8+, an AT&T 5G Evolution capable smartphone

----- Original message -----

From: Alexa Ura <aura@texastribune.org>
Date: 1/26/22 11:34 AM (GMT-06:00)
To: revuptx <revuptx@gmail.com>

Cc: Sneha Dey <sneha.dey@texastribune.org>

Subject: Re: BallotTracker - Ballot By Mail Application and Ballot Tracker

Hey Bob — Hope you're doing well! Thanks for the note and for sharing this bulletin. We are going to be following this closely so please feel free to connect me with any folks who might be dealing with issues in complying with the new requirements.

Additionally, we are hoping to write something up ahead of early voting about the changes to the voter assistance rules and would appreciate if you could give us a sense for what sort of guidance y'all are providing for folks. I'm copying here my colleague Sneha Dey who is going to be taking the lead on that; hope y'all can connect soon.

Thanks again!

Alexa

On Mon, Jan 24, 2022 at 5:47 PM revuptx <revuptx@gmail.com> wrote:

Alexa

Good article. REV UP and other covil rights groups are on the SB 1

lawsuit. We all told them this would happen. Arrogance!

We are sending out info on ways to minimize ballot by mail rejection in the Disability Community.

Again thx for the coverage

Bob Kafka, Coordinator REV UP Texas www.revuptexas.org revuptx@gmail.com 512 431 4085

R EGISTER E DUCATE V OTE

U SE P OWER = The Disability Vote

https://vimeo.com/662752792

Advocates:

https://teamrv-mvp.sos.texas.gov/BallotTrackerApp/#/login

There is much confusion about the Ballot By Mail process (Understatement).

If you have sent in a Ballot Application or Ballot by Mail you can use the above link to track your application or ballot by mail.
(Ballot Tracker)

Below is a REV UP Texas Info Bullentin on Ballot By Mail.

Pls let us know if you are having any problems.

Texas Voting Rights Advocates:

As we celebrated Martin Luther King Day and advocate for needed federal legislation to protect voting rights let us not forget the saying ALL POLITICS ARE LOCAL.

SB 1 is currently the law. REV UP Texas is part of the litigation focused on overturning the suppression of the DISABILITY VOTE! in SB1.

REV UP Texas and other disability and voting rights organizations told the supporters of SB 1 that they were making the Mail in Ballot process so complicated for eligible disabled and older voters that it would suppress the vote.

This is not a Republican or Democratic Party issue

They ignored our recommendations.

Unfortunately we are being proven correct. Mail in Ballots Applications are being returned at historic rates in counties all over state.

Below is an information bullentin to assist eligible mail in ballot recipients to navigate the system. It has helpful links from the League of Women Voters and the Secretary of State's office.

We urge you to report any problems you may have in the Mail in Ballot process to the contacts in the Info Bullentin.

The next REV UP Texas Info Bullentin will be on the Mail in Ballot portel to track your Mail in Ballot.

Don't Mourn Organize and REV UP

www.revuptexas.org revuptx@gmail.com 512 431 4085

NEW TEXAS VOTING LAW LEADS TO HIGH REJECTION OF MAIL-IN BALLOT APPLICATIONS Mail-In Ballot Information and Important Voting Dates

The Texas Primaries will be held on Tuesday, March 1, 2022. You must be **REGISTERED** by January 31, 2022 to vote in the primaries.

VOTE BY MAIL:

Last day to request Ballot by Mail APPLICATION:

FRIDAY, FEBRUARY 18, 2022

IF YOU WANT TO VOTE BY MAIL, REQUEST YOUR MAIL IN BALLOT APPLICATION TODAY!

Visit <u>REVUPTEXAS.ORG</u> to access the PowerPoint presentation on the changes SB 1 made to the MAIL IN BALLOT process and other important changes you should be aware of.

USEFUL LINKS TO GET MAIL IN BALLOT APPLICATION AND MAIL IN BALLOT INFORMATION:

https://www.lwvtexas.org/vote-mail

https://www.sos.texas.gov/elections/voter/regabbm.shtml

https://youtu.be/QXb7qMTMCNc

MAIL IN BALLOTS must be received by Your County:

POSTMARKED BY 7:00 PM ON MARCH 1, 2022

IMPORTANT TIPS

- Make Sure You Fill Out ALL the Information
- Mail-In Ballots and Mail in Ballot Application ask for either a Texas ID OR the Last Four Digits of Your Social Security Number.
 - WE SUGGEST ENTERING BOTH NUMBERS TO AVOID ANY PROBLEMS WITH YOUR BALLOT.
- CHECK WHICH PRIMARY YOU ARE VOTING IN (DEMOCRAT OR REPUBLICAN)
- SIGN THE BALLOT!

Again, the last day to request Ballot by Mail is FRIDAY, FEBRUARY 18, 2022

If you have any problems with a Mail-In Ballot Process, please contact:

Disability Rights Texas Voting Hotline

Call 1-888-796-VOTE(8683) AND send us an email at: revuptx@gmail.com

EARLY VOTING IN PERSON for the Texas Primaries (March 1, 2022)

FIRST DAY of Early Voting MONDAY, FEBRUARY 14, 2022 (Gotta LOVE VOTING)

LAST DAY of Early Voting FRIDAY, FEBRRUARY 25, 2022

For More Information Join the REV UP Texas Community and Show The

POWER OF THE DISABILITY VOTE

DISABILITY RIGHTS ARE CIVIL RIGHTS

www.revuptexas.org revuptx@gmail.com 512 431 4085

R EGISTER E DUCATE V OTE

U SE P OWER = The DISABILITY VOTE

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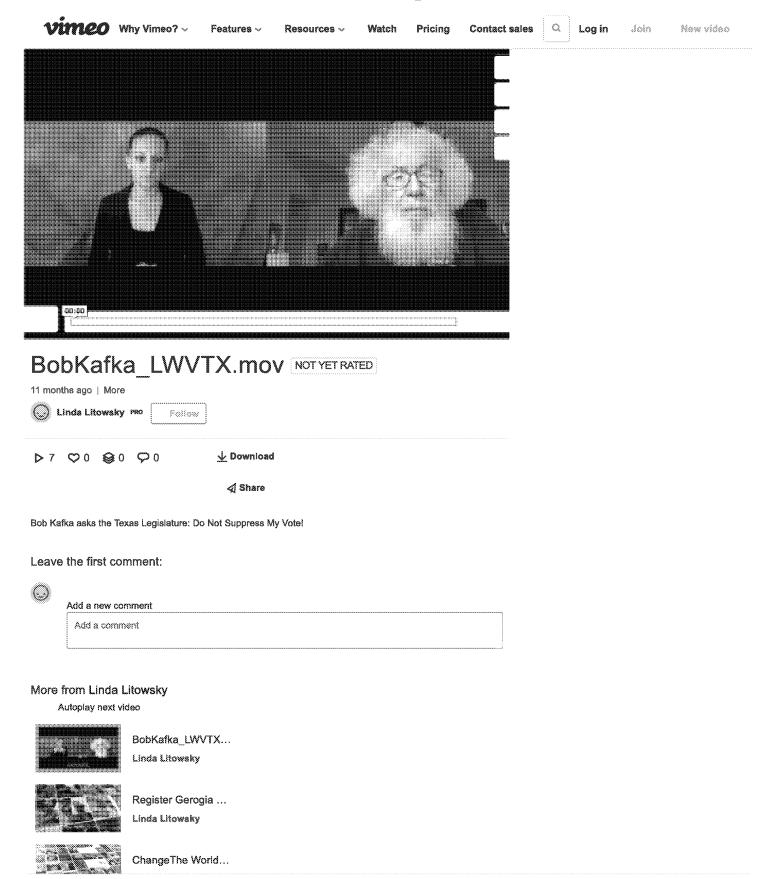
Alexa Ura

Demographics Reporter

919 Congress Ave., Sixth Floor Austin, TX 78701 www.texastribune.org

M (956) 744-9421 @alexazura

Exhibit 162



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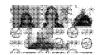
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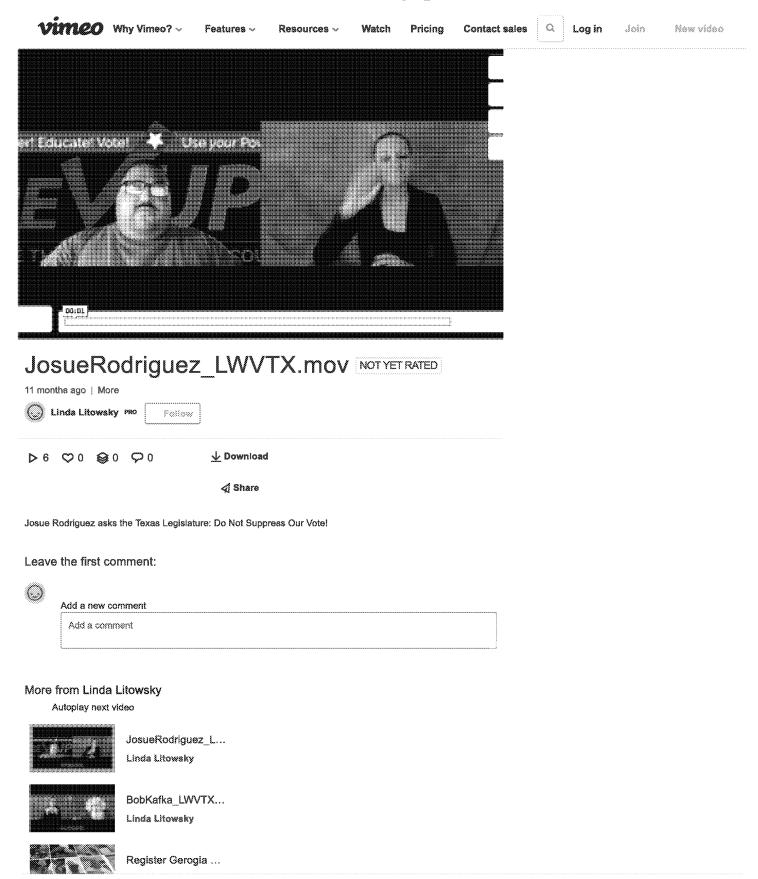
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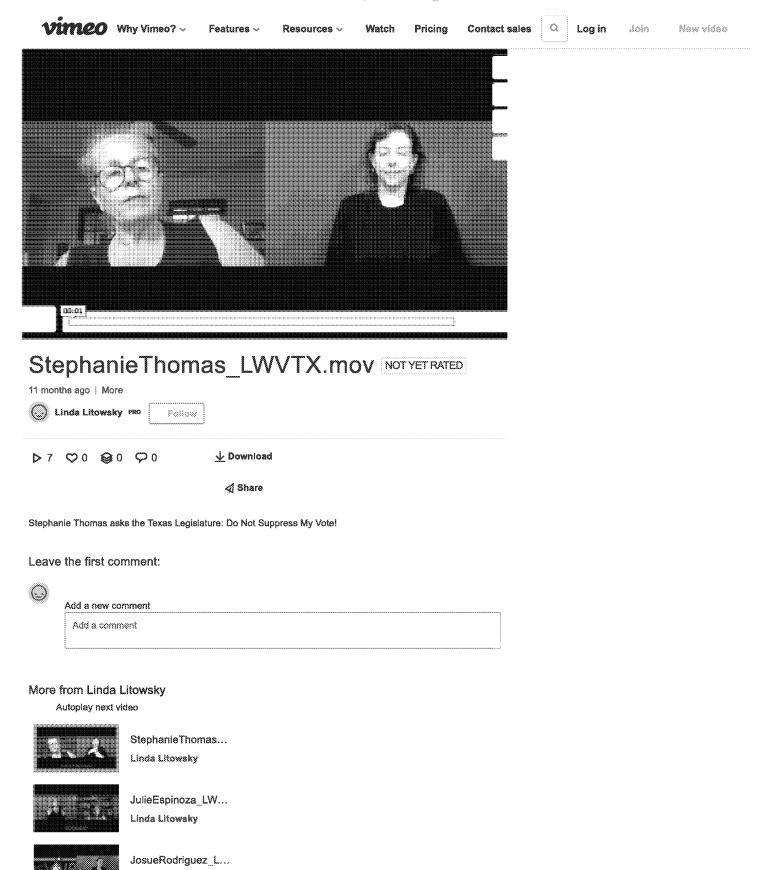
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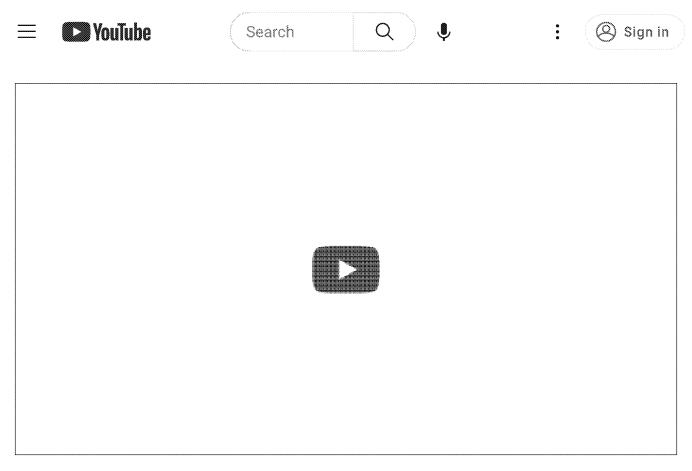
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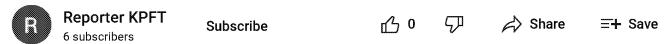
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Exhibit 163



"Disability Voters Mobilize for May Vote & Chilling Laws" w Bob Kafka, Rev-Up TX, KPFT News 3/25/22



21 views 1 year ago

HOUSTON – A March 26 flash mob at the Texas capitol will kick off a drive to register new voters ahead of the May runoff election, said Bob Kafka, head of the disability voters group, Rev-Up Texas. "The primary unfortunately proved all the Show more



3 Polk County deputies arrested for evidence tampering

ABC Action News **◎** 6.6M views • 2 years ago



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How Long Has This Been Going On (Cover) Brian Yamamoto/Jim Ng/ Vaea





Bollinger County, Missouri Residents in Shock after Destructive Tornado

FOX Weather @

2.9K views • 51 minutes ago

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WFAA

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DFW weather: Rain returns to end the week

WFAA 🚳

1K views • 5 hours ago

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FULL NEWS CONFERENCE: DA Alvin Bragg says Trump paid to cover up crimes

FOX 4 Dallas-Fort Worth

31K views • 1 day ago

New

DFW weather: Storms are moving out, what's next?

WFAA 🗶

1K views • 10 hours ago

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Fact-checking Donald Trump's post-indictment speech at Mar-a-Lago

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Dallas City Council considers defining short-term rentals as lodging, banning them in most neighborh

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2.6K views • 23 hours ago

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Many crashes in North Texas due to road rage

CBS TEXAS

705 views • 19 hours ago

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Lake Highlands soccer team playing for late principal

WFAA 🌑

110 views • 5 hours ago





WFAA 🗶

108 views • 5 hours ago

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Breezy winds and chilly temps, but mostly rain-free

CBS TEXAS

81 views • 1 hour ago

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Arlington toddler dies after shooting himself with sibling's gun, police say

FOX 4 Dallas-Fort Worth

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Josh Smith talks about getting hit in the face with a pitch

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157 views • 8 hours ago

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Hidden Cove residents say the sounds of high powered rifles are keeping them up at night

CBS TEXAS

442 views • 19 hours ago

New

Tracking the potential for severe storms in North Texas overnight Tuesday into Wednesday

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Dallas City Council considers defining short-term rentals as lodging, banning them in most neighborh

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Exhibit 164

From: revuptx [revuptx@gmail.com] Sent: 10/20/2022 3:43:06 PM REVUPTX [revuptx@gmail.com] To:

BCC: ahinkle@texastribune.org; amcglinchy@kut.org; theaustinartistsshow@gmail.com; bwhite@politico.com; bsechler@statesman.com; bgrumet@statesman.com; dedenews@austin.rr.com; director@cotmf.org;

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wrapaport@nexstar.tv; eramshaw@19thnews.org; sneha.dey@texastribune.org; watermant@featurestory.com; tplohetski@statesman.com; ALopez@npr.org; westtexas@courthousenews.com; jennifer.sanders@kxan.com;

alexandra.stuckey@chron.com

Subject: Disability Community Turning Out The Disability Vote

Attachments: REV UP - 2022 AUSTIN EARLY VOTING OPPORTUNITY.docx; Disability Vote - Ripple Effect 2.0 (detail)(1)(1)(1)(1),jpg



FOR IMMEDIATE RELEASE Date: October 20, 2022

For Information: Bob Kafka, bobkafka10467@gmail.com

Subject: ADAPT/PACT and REV UP Texas organizing to GET OUT

THE DISABILITY VOTE during Early Voting.

The disability community has been organizing all year to empower the disability community to turn out the DISABILITY VOTE.

The outcome of the 2022 election will effect the lives of all people with disabilities regardless of age (physical, mental, cognitive, sensory and/or learning).

Life and death issues effecting us are Medicaid Expansion, unnecessary institutionalization, waiting lists for in home services, low wages for Community Attendants, mental health services, lack of inclusive education, discrimination in employment and voting.

Members of ADAPT/PACT and REV UP Texas will be at:

Austin City Hall Plaza, 301 W 2nd St on Mon, Oct 24th at 11:30am

"My vote is important. Our local, state and federal decision makers must make disability issues part of their agenda" said Nancy Crowther, PACT Organizer. "It is a matter of life and death for us".

GOTDV * www.revuptexas.org * revuptx@gmail.com

OCA-APPX-2243

Exhibit 165

From: revuptx [revuptx@gmail.com]
Sent: 9/30/2022 5:29:54 PM

To: REVUPTX [revuptx@gmail.com]
Subject: FW: TDIF: Power the Disability Vote!

 $\textbf{Attachments}: \quad \texttt{TDIF_PressRelease_FINAL.docx}; \\ \texttt{TribuneArticle2022_FINAL.docx}$

Sent via the Samsung Galaxy A13 5G,an AT&T 5G smartphone

----- Original message -----

From: linda litowsky < lindalitowsky@gmail.com>

Date: 9/16/22 4:34 PM (GMT-06:00)

To: generalnews.central@thomsonreuters.com

Cc: revuptx < revuptx@gmail.com>

Subject: TDIF: Power the Disability Vote!

Here is the press release and an article about the power of the disability vote.



Texas Disability Issues Forum

September 19, 2022 Austin, Texas + virtual TDIF.REVUPTexas.org

PRESS RELEASE

Yes, there is Power in the Disability Vote AND WE ARE HOLDING A FORUM TO SHINE A LIGHT ON THE ISSUES

REV UP Texas and the Coalition of Texans with Disabilities, along with more than 50 Texas organizations, have joined forces to host the third Texas Disability Issues Forum, (TDIF). Both Democrat and Republican candidates for the offices of Governor, Lt. Governor, Attorney General, and Agriculture Commissioner are invited, though only the four Democratic candidates have accepted. The Forum will continue to invite participation from all the invitees.



TDIF is a non-partisan, one-day event, where candidates for elected statewide office are asked to specifically address the concerns of Texans with disabilities. This forum is not a debate and will be moderated by independent journalists and streamed

live by our media partner, the Texas Tribune. Each candidate will be interviewed individually by an independent journalist from the Tribune. The Texas Tribune will also serve as TDIF's media sponsor and the live stream will be hosted on their website.

Now more than ever, it is critical that the Texas disability community get out the vote. Because the issues like affordable health care that covers pre-existing conditions and protects mental health parity, as well as Medicaid funding for in-home services must be addressed by our politicians and decision makers. It is critical that people with disabilities are supported so they can stay out of nursing homes and other institutions; and, barriers like long waiting lists, ridiculously low wages for Community Attendants, and cutbacks in funding for already chronically underfunded affordable, accessible integrated housing are resolved in Texas.

Even the access to vote itself has been attacked here in Texas. These are just some of the reasons why the Texas disability community is becoming more active in electoral politics. We need to educate candidates about disability issues and disabled people and our allies about the candidates' stand on these issues.

The 2022 Forum will be held on Monday, September 19. Registration begins at 9:00 am, welcome at 10:00 am, candidate interviews begin at 10:15 am and the event ends at 2:00 pm. Major TDIF sponsors include Amerigroup, Superior Healthplan, Molina Healthcare, United Healthcare and Secure Democracy.

TDIF will take place at the AT&T Conference Center on the UT campus, 1900 University Drive in the Zlotnik Ballroom. To schedule an interview, receive a press pass, get parking directions and more, visit:

TDIF.revuptexas.org

MEDIA Bob Kafka at 512-431-4085 or revuptx@gmail.com
CONTACTS: Dennis Borel at 512-478-3366 x302 or dborel@txdisabilities.org

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Yes, There is Power in the Disability Vote AND WE ARE HOLDING A FORUM TO SHINE A LIGHT ON THE ISSUES

With little fanfare from the public and the media, the Texas disability community is quietly growing a movement to become more engaged in electoral politics at the national, state and local levels, especially here in Texas.

One part of this movement is the building of a diverse, statewide disability voting coalition that is a non-partisan partnership laser focused on registering and educating the disability community on important disability rights and services concerns; while engaging candidates and the media on these issues. Our most immediate goal is to get out the Texas disability vote on Election Day, November 8th.

It's been 32 years since the first disability civil rights legislation, the Americans with Disabilities Act (ADA), was signed into law by President George H. W. Bush, a Texan of course. It is unconscionable that the disability community remains confronted with many of the challenges from 32 years ago; not only to the ADA itself, but to the foundation that the ADA was built on: the integration of people with disabilities of all ages into every aspect of community living.

Now more than ever, it is critical that the Texas disability community get out the vote. Issues like affordable health care that covers pre-existing conditions and protects mental health parity; Medicaid funding for in-home services so folks can stay out of nursing homes and other institutions; barriers like long waiting lists and ridiculously low wages for Community Attendants that further strangle the system; and, cutbacks in funding for already chronically underfunded affordable, accessible integrated housing mean growing numbers of the disabled face homelessness. Even access to vote has been attacked here in Texas.

These are just some of the reasons why the Texas disability community is becoming active in electoral politics. We need to educate candidates about disability issues, and disabled people and our allies about the candidates' stand on these issues.

To learn what major party candidates have to say on the most pressing problems from healthcare to elections to education and more, REV UP Texas and the Coalition of Texans with Disabilities, along with more than 50 organizations, have joined forces to host the third Texas Disability Issues Forum, (TDIF). This is a non-partisan, one day event, where candidates for elected statewide office are asked to specifically address the concerns of Texans with disabilities. Democrat and Republican candidates for the offices of Governor, Lt. Governor, Attorney General and Agriculture Commissioner are invited. This forum is not a debate and will be moderated by independent journalists and livestreamed through our media sponsor and partner, the Texas Tribune.

Political education is a two-way street. Many politicians are simply unaware or unwilling to recognize this constituency and its issues for what they are. If you do not see or acknowledge something, it is unlikely you will address it. Many people with disabilities are unaware of a candidate's position and record of voting on our issues and so do not give it much weight when they step into the voting booth.

In 2014, the Texas Governor's race was very interesting to the disability community, because then Attorney General, Greg Abbott, who is a person with a disability and who had attacked disability issues as the AG, was running against a former State Senator, Democrat Wendy Davis, who did not have a disability but had supported disability issues. This race received national attention, but no attention on disability policy.

Because of this race, a coalition of Texas advocates led by the Coalition of Texans with Disabilities (CTD) and the newly formed REV UP Texas organized the first ever Texas Disability Issues Forum (TDIF). It

attracted over 400 Texans in person and even more via the statewide livestream. The interest in this Forum was the catalyst for organizing an ongoing, non-partisan state voting coalition.

The second TDIF in 2018 followed the same format but added the candidates for the U.S. Senate. This Forum was attended by more than 400 participants and livestreamed across the state to Watch parties in every region, organized by disability advocates. This too was a success.

The 2022 Texas Disability Issues Forum will be held on Monday, September 19, from 9:00am to 2:00pm at the AT&T Hotel and Conference Center on the UT campus. To attend in person, to host a watch party or for more information, visit TDIF.revuptexas.org

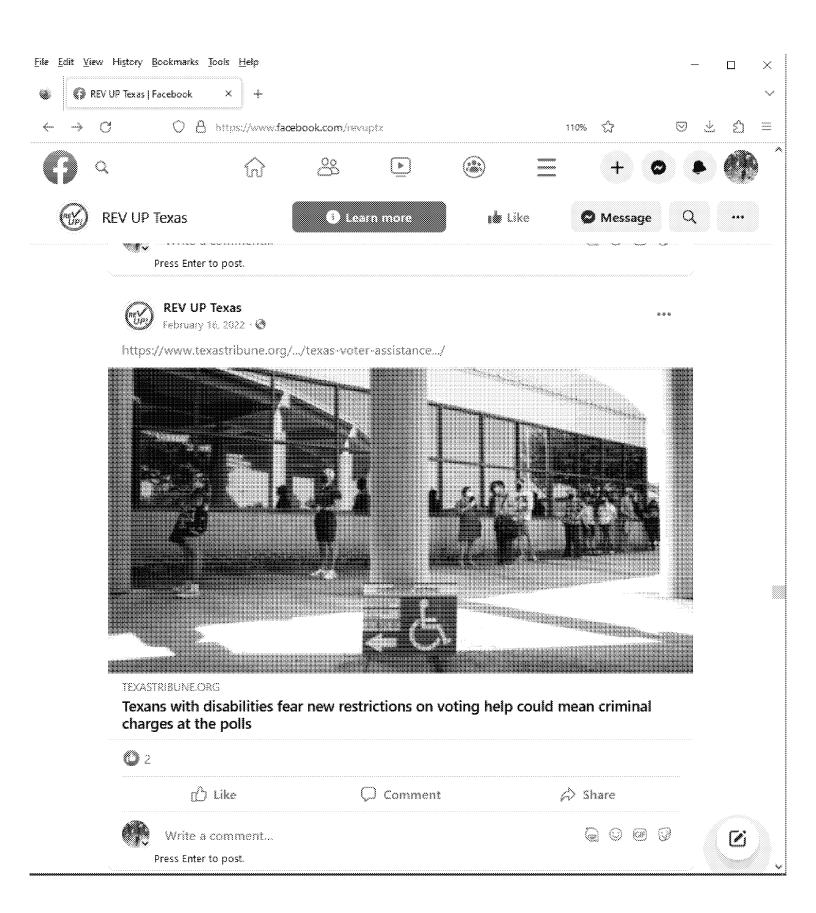
November 8th will be a test to see if our multi-year organizing can increase the number of people with disabilities and our allies who go to the polls and elect candidates that support disability rights and services.

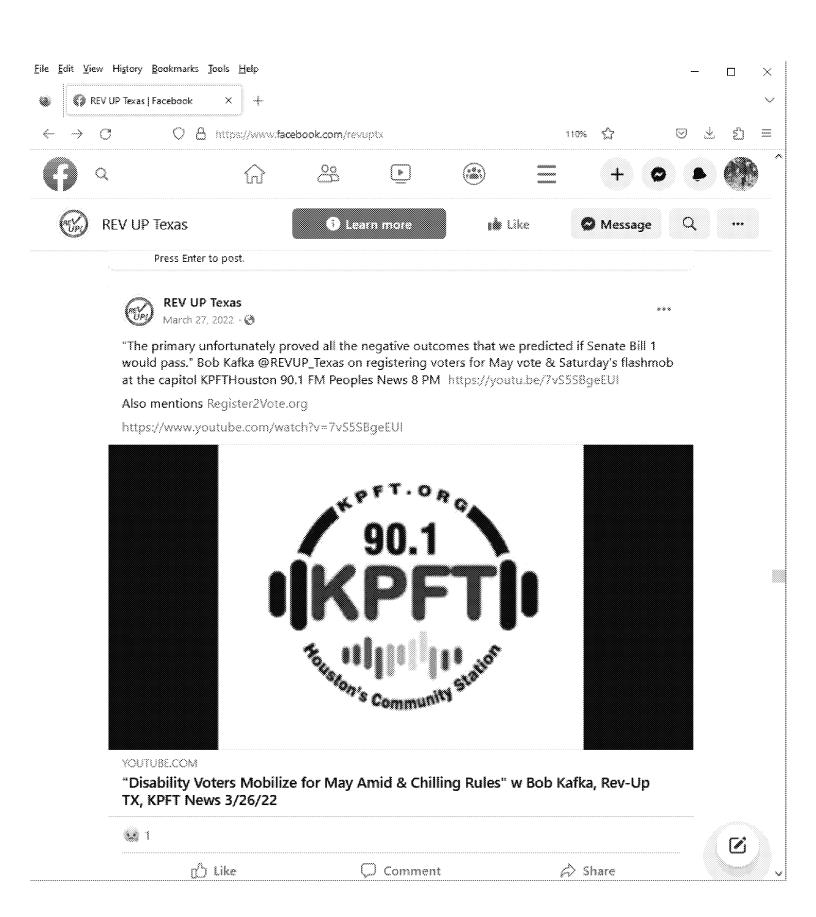
Now, and on September 19 is the time for candidates to speak to the disability community. We'll be listening.

Dennis Borel is the Executive Director of the Coalition of Texans with Disabilities, a statewide cross-disability advocacy organization. Since 2000, Dennis is frequently called upon for research, policy analysis, and recommendations to the Texas Legislature and state agencies on issues surrounding disabilities.

A Disability Rights Activist for over forty years, Bob Kafka is Co-Director of the Institute for Disability Access, and an organizer for ADAPT and State Coordinator of REV UP Texas (Register * Educate * Vote - Use your Power). He has been the host and producer of the podcast *Barrier Free Futures* since October 2018.

Exhibit 166





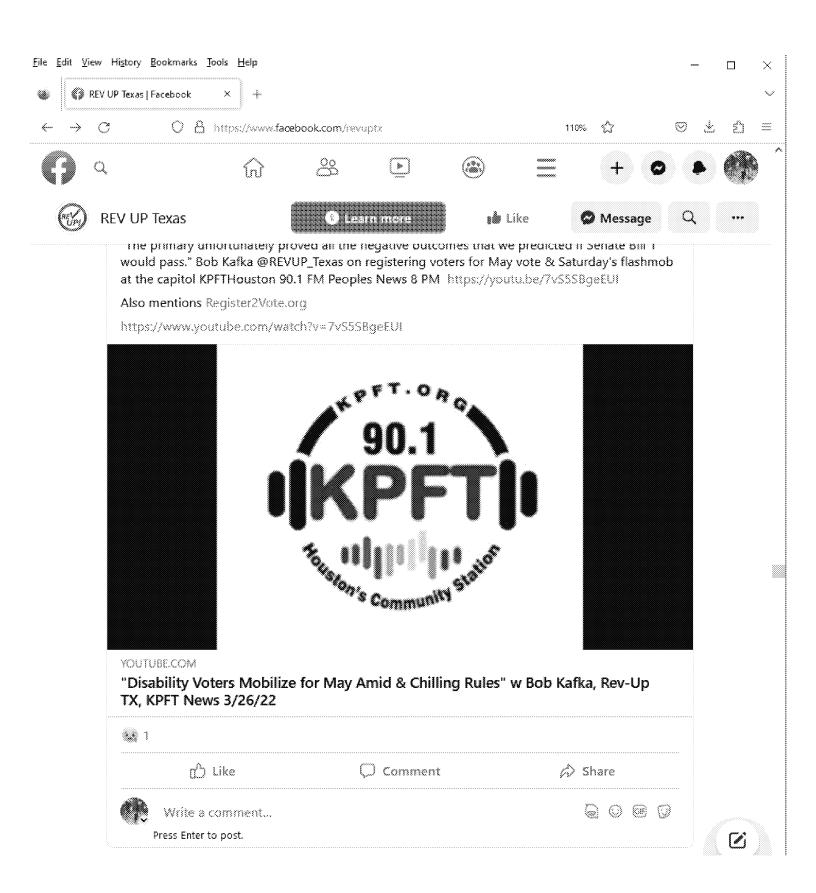


Exhibit 167

Caller Times

TEXAS BUREAU

Texans with disabilities fear voting bill will add more barriers to the ballot box

Limits on mail-in and curbside voting would be especially onerous to people in wheelchairs or those with sight and hearing impairments, advocates say.



John C. Moritz

Corpus Christi Caller Times

Published 7:30 a.m. CT Aug. 14, 2021

AUSTIN — Chase Bearden and Bob Kafka say they already face too many barriers to the ballot box, and they worry that the sweeping legislation that passed the Texas Senate on Thursday would erect even more.

Bearden and Kafka were among several people with disabilities who testified earlier in the week in opposition to the measure known as Senate Bill 1. They said proposed new standards in the bill for signature verification and restrictions on mail-in and curbside voting would make it harder, and in some cases impossible, for people like them to safely and conveniently cast their ballots.

"We're trying to get them, if they're going to pass a bill, to actually make it to where the disability community is on an equal playing field with being able to vote," Bearden, who broke his neck as teenage gymnast 28 years ago, said in an interview after his formal testimony before the Senate State Affairs Committee.

Texas issues arrest warrants: Texas Supreme Court temporarily blocks order protecting House Democrats from civil arrest

Much of the attention on the elections bill – which sparked Democrats in the House to first break a quorum late in the regular legislative session and then to leave Texas for Washington, D.C., when Gov. Greg Abbott called the first special session – has been on whether it would discourage turnout of minority voters.

That attention was front and center during the floor debate that began Wednesday

afternoon and ended the next morning after a 15-hour filibuster by Democratic Sen. Carol Alvarado of Houston. Soon after Alvarado ended her talkathon, the full Senate passed the measure on a party-line vote.

Backers of SB 1, which Abbott, Lt. Gov. Dan Patrick and virtually all of the Republican members in both legislative chambers support, have said the measure is need to root out and prevent election fraud and other political mischief.

The bill remains stalled, however, because most of the Democrats in the House have not returned for the second special session and the 150-member chamber so far has been a handful of members short of the two-thirds needed to conduct business.

More: Texas Democrat's filibuster of GOP voting bill ends after 15 hours; SB 1 passes

Kafka, a longtime disabilities rights activist whose neck was broken in a car wreck after he returned from his Army tour in Vietnam, said people in wheelchairs or who are blind or hearing-impaired often must rely on mail-in or curbside-cast ballots or on personal assistants at voting locations. Because the bill would curtail such options in the interest of cracking down on elections fraud, Kafka said, it puts the onus on people with disabilities to prove they are honest citizens.

"What's so outrageous is that without any credible proof of fraud, people with disabilities, veterans who may have disabilities – any person – has to jump through hoops," said Kafka, noting that the disabilities community includes people from every demographic group in the country.

"There are many people with disabilities who are people of color, African American, Latino, other gay, youth – we run the gamut," he told the committee. "So I just want you to keep that in perspective."

People with disabilities are emerging as a political force and will push back at any effort to roll back their growing clout, Kafka said. A study released last month by Rutgers University in New Jersey and the U.S. Election Assistance Commission shows that nearly 18 million Americans with disabilities cast ballots in the 2020 elections. That's up from about 16 million four years earlier, the study showed.

Ugly: One word to describe the partisan-charged special session of the Texas Legislature

The study also found that innovative voting options made necessary by the coronavirus

pandemic, which in some parts of Texas included 24-hour early voting, drive-though voting and enhanced curbside and mail-in voting, contributed to the spike in turnout among people with disabilities. Some backers of Senate Bill 1 have said election officials in several counties went to far with such innovations.

"Turnout increases when people with disabilities have more voting options. It's not 'one size fits all," said Rutgers political science professor Lisa Schur, who is a co-director of the university's Program for Disability Research. "Many states made it easier to vote during the pandemic, which particularly helped voters with disabilities."

State Sen. Bryan Hughes, the East Texas Republican who authored Senate Bill 1, said he plans to work with advocates for people with disabilities to alleviate as many of their concerns as possible. During the floor debate, Hughes agreed to several suggestions from witnesses who testified in committee, including one that would establish on online portal to correct errors on mail-in ballot applications rather than simply rejecting applications that might have mistakes.

Bearden, who is the deputy executive director of the Coalition of Texans with Disabilities, applauded such changes but said more are needed. One that would be especially helpful, he said, would allow people with disabilities to use a stamp if they have muscle mobility difficulties that prevent a consistent signature. That would preclude the need for an attendant in some cases, which would give those voters another layer of privacy when casting their ballots, he said.

"Most of the people who I do know that use them for their day-to-day life, it's in their backpack on their chair," Bearden said. "It's just like your ATM card, you're not going to just leave it laying around."

He also said that even though he opposes the bill in its present form, he still wants to work with Hughes and others in order to keep a seat at the table.

"We've all come to the conclusion they are eventually going to pass a bill, and we're looking to make sure that in the end it benefits the disability community and hopefully lessens barriers that are there," Bearden said. "I don't know if we'll succeed. We may end up with new barriers but if hopefully we can also then reduce others that have been there for a while."

John C. Moritz covers Texas government and politics for the USA Today Network in

 $Austin.\ Contact\ him\ at\ jmoritz@gannett.com\ and\ follow\ him\ on\ Twitter\ @Johnnie Mo.$



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TEXAS 2022 ELECTIONS

Texans with disabilities fear new restrictions on voting help could mean criminal charges at the polls

Disability rights advocates say the state has not provided enough guidance about the type of help people with disabilities can and cannot receive under new voting laws passed last year.

BY SNEHA DEY FEB. 16, 2022 5 AM CENTRAL



Voters wait in a line outside a polling location in Houston on Oct. 13, 2020, the first day of early voting for that year's election cycle. Annie Mulligan for The Texas Tribune

Sign up for The Brief, our daily newsletter that keeps readers up to speed on the most essential Texas news.

Nancy Crowther needs an aide around the clock to help her with meals and other daily household tasks. Her personal attendant of three years lives with her in Austin.

Crowther, 63, would also like her attendant to help her cast a ballot in the primaries. Crowther has spinal muscular atrophy, a progressive neuromuscular disorder that makes it difficult for her to reach the touch screen at the polling booth. She also uses a wheelchair that limits her mobility around polling places.

But even though Crowther says she trusts her attendant to respect her voter privacy, Texans with disabilities — and attendants who get compensation for assisting a voter — could face criminal penalties under new voting legislation.

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"We don't want to jeopardize our attendants, but we want to be able to vote, but we need our attendants' help, so we're in a Catch-22," Crowther said. "It's a bigger swath of the voting populace that will be scared off and what will happen is that people will not vote. But I'm not going to give in to that."

As polls opened up for early voting this week, disability advocates say they still do

not have adequate guidance from the state about new voter assistance rules and worry that the lack of clarity on what constitutes a violation might dissuade people who provide assistance services from helping voters with disabilities.

Republicans enacted restrictions last year on the state's voting process, including rules on how Texans can assist voters when casting ballots. Texans assisting other voters must now fill out paperwork disclosing their relationship, indicate whether compensation was provided and recite an expanded oath, now under the penalty of perjury, stating that they did not "pressure or coerce" the voter into choosing them for assistance.

Texans who offer or accept compensation for providing voter assistance would be in violation of the new rules, creating anxiety among those who assist people with disabilities as part of their job.

"There are voters with disabilities who use their personal aides or personal attendants to assist them in completing daily tasks, and voting is a daily task," said Molly Broadway, a voting rights training specialist at Disability Rights Texas, adding that she has already received calls from assistants afraid of incurring criminal charges for activities that are usually part of their duties. "It's a very present, very real need that exists."

Texans who drive at least seven voters to the polls are also considered assistants and must comply with new rules on compensation. Broadway said she has heard concerns from nursing home employees who provide transportation to polling places.

The new legislation also limits any kind of voter assistance to "reading the ballot to the voter, directing the voter to read the ballot, marking the voter's ballot, or directing the voter to mark the ballot." But voters with intellectual and developmental disabilities might need additional help, such as gestures or reminders about how they had intended to vote, to get through the process, Broadway said.

Broadway has instructed those providing assistance to sign the expanded oath, inform poll workers about the help they're providing to the voter and reach out to county election offices and request additional accommodations when necessary.

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If an assistant appears to be breaching the new rules, poll watchers have been instructed to inform their county's election administration office. Upon reviewing the case, election administrators may reach out to authorities to investigate the case.

If there's evidence that an assistant was paid for their services, Potter County elections administrator Melynn Huntley said she would need to refer the case to the attorney general.

"We gather screenshots or copies of the actual papers that may have been signed or not signed, and then we submit them to the appropriate enforcement authority," Huntley explained.

Brazoria County election director Lisa Mujica said her office has trained clerks around the new regulations for voter assistance. If an assistant appears to be violating the rules, clerks are instructed to step in and educate them about the limitations of their role.

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But Chase Bearden, the deputy executive director at the Coalition of Texans with Disabilities, said that's part of the problem: Inadequate state guidance has created confusion among voters and leaves the responsibility of determining what may constitute a violation to election workers.

"At the end of the day, we aren't sure how this is going to play out," Bearden said. "We're kind of in the dark and are hoping that most election workers will be fair and want to make sure that people get the assistance they need."

The Coalition of Texans with Disabilities, Disability Rights Texas and other disability rights groups have said they have received little guidance from the secretary of state, which oversees elections, about the steps voters with disabilities should take if they need assistance that conflicts with the regulations established in the new rules.

The secretary of state's office did not immediately respond to The Texas Tribune's request for comment.

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Broadway, of Disability Rights Texas, said she has seen more hesitation among Texans to assist voters with disabilities at the polling station than in previous years.

"It's really giving people second thoughts about whether they want to put themselves on the line of being seen as committing voter fraud," Broadway said.

Disability rights advocates also said they have already seen how other new rules have deterred folks from voting — particularly restrictions on voting by mail, which many voters with disabilities use. Already, counties are reporting that hundreds of mail-in ballots are being initially rejected because of new identification requirements under the new voting laws.

Turnout among voters with disabilities has increased in recent years, but disability rights advocates fear the new restrictions could undermine those gains.

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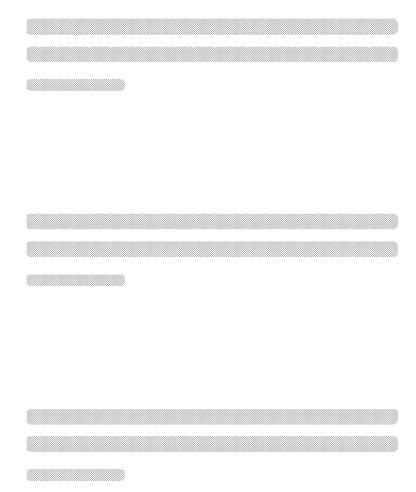
Bob Kafka of Rev Up Texas, a grassroots organization focused on increasing participation among voters with disabilities, called the new restrictions chilling.

"In their ignorance of the fact that there is a disability vote, what they did will have a dramatic effect just by the nature of who uses mail-in ballot and who uses assistance," Kafka said.

Disclosure: Coalition of Texans with Disabilities has been a financial supporter of The Texas Tribune, a nonprofit, nonpartisan news organization that is funded in part by donations from members, foundations and corporate sponsors. Financial supporters play no role in the Tribune's journalism. Find a complete list of them here.

Sneha Dey
Shehu Dey
GENERAL ASSIGNMENT REPORTER
sneha.dey@texastribune.org

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Quality journalism doesn't come free

Perhaps it goes without saying — but producing quality journalism isn't cheap. At a time when newsroom resources and revenue across the country are declining, The Texas Tribune remains committed to sustaining our mission: creating a more engaged and informed Texas with every story we cover, every event we convene and every newsletter we send. As a nonprofit newsroom, we rely on members to help keep our stories free and our events open to the public. Do you value our journalism? Show us with your support.

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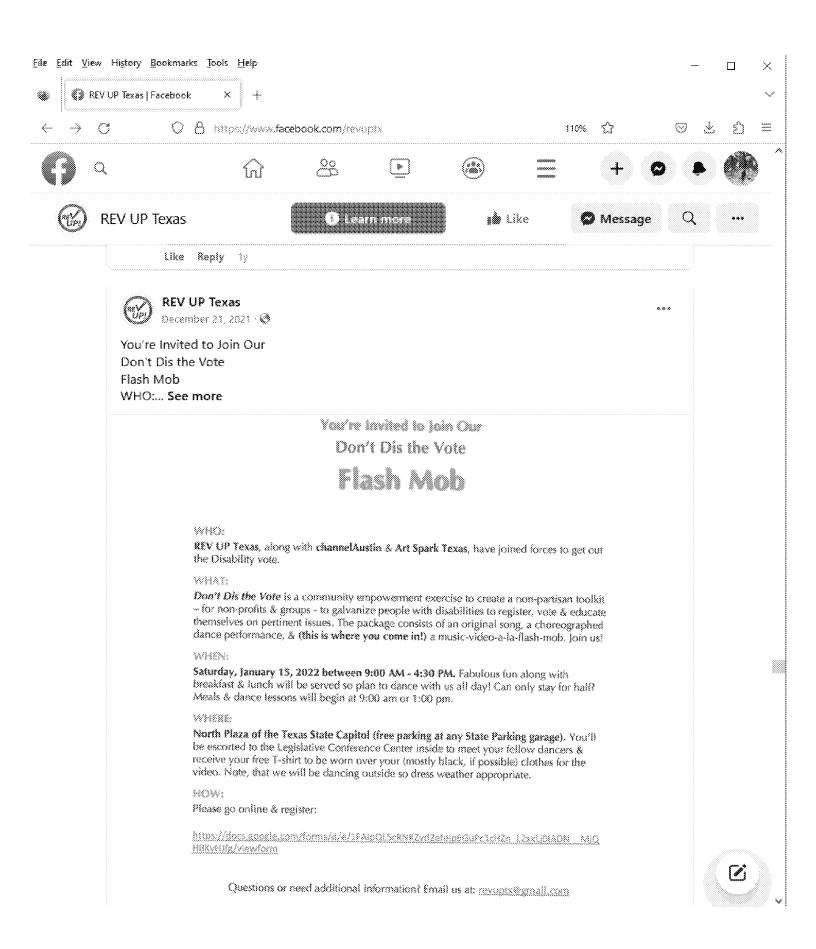
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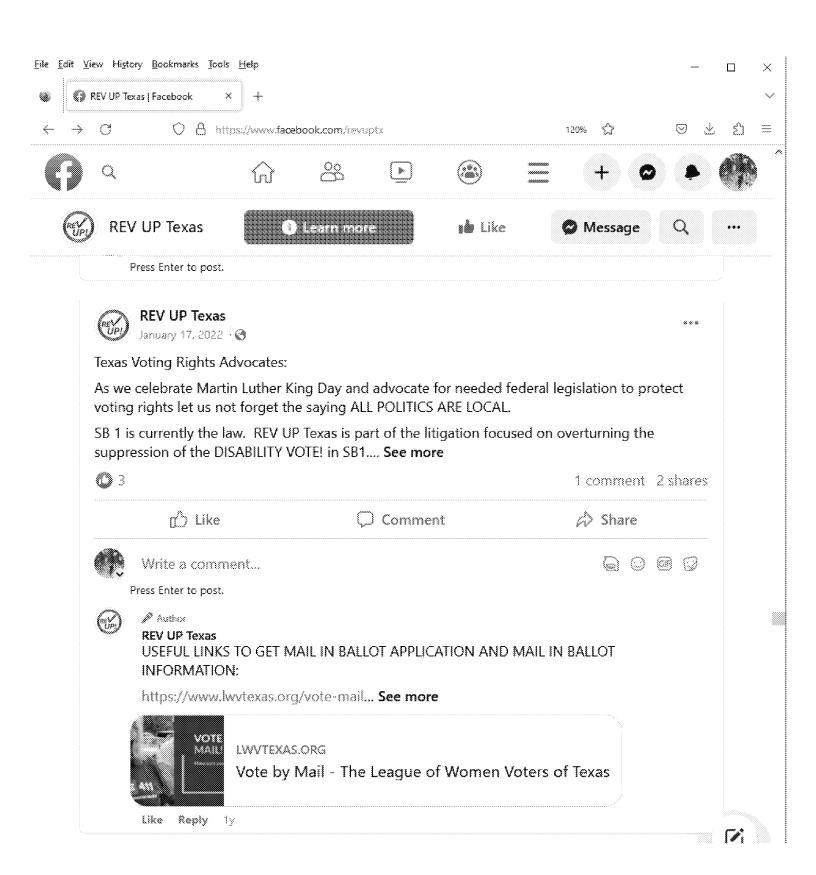
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Texas.

Exhibit 168









Texas Voting Rights Advocates:

As we celebrate Martin Luther King Day and advocate for needed federal legislation to protect voting rights let us not forget the saying ALL POLITICS ARE LOCAL.

SB 1 is currently the law. REV UP Texas is part of the litigation focused on overturning the suppression of the DISABILITY VOTE! in SB1.

REV UP Texas and other disability and voting rights organizations told the supporters of SB 1 that they were making the Mail in Ballot process so complicated for eligible disabled and older voters that it would suppress the vote.

This is not a Republican or Democratic Party issue

They ignored our recommendations.

Unfortunately we are being proven correct. Mail in Ballots Applications are being returned at historic rates in counties all over state.

Attached is an information bullentin to assist eligible mail in ballot recipients to navigate the system. It has helpful links from the League of Women Voters and the Secretary of State's office.

We urge you to report any problems you may have in the Mail in Ballot process to the contacts in the Info Bullentin.

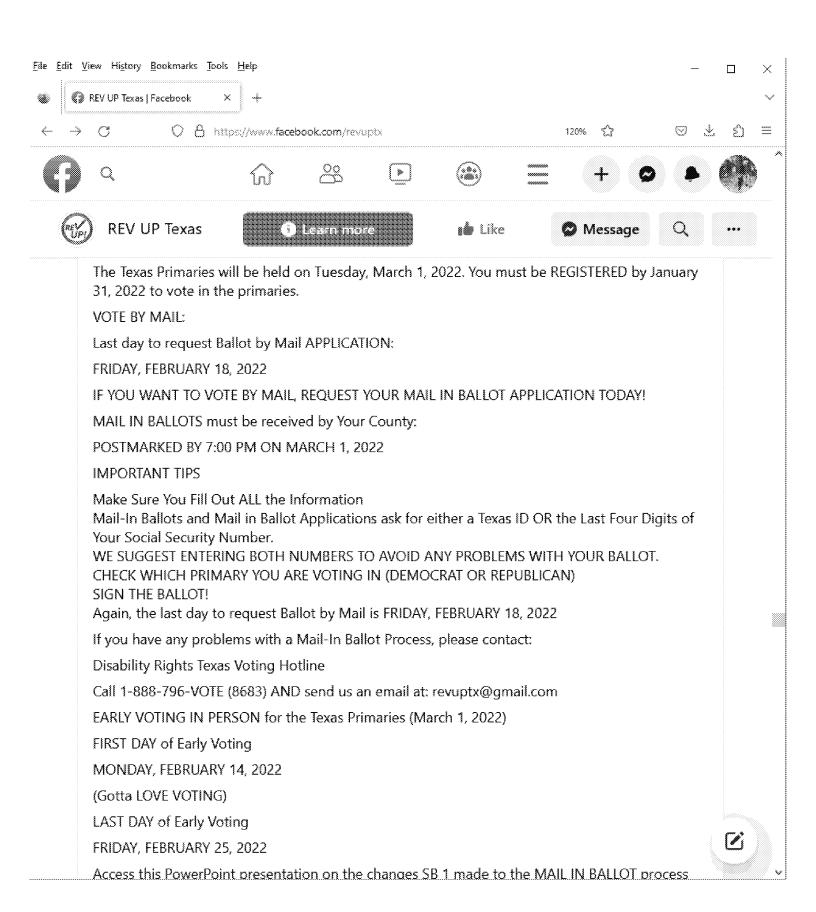
The next REV UP Texas Info Bullentin will be on the Mail in Ballot portel to track your Mail in Ballot.

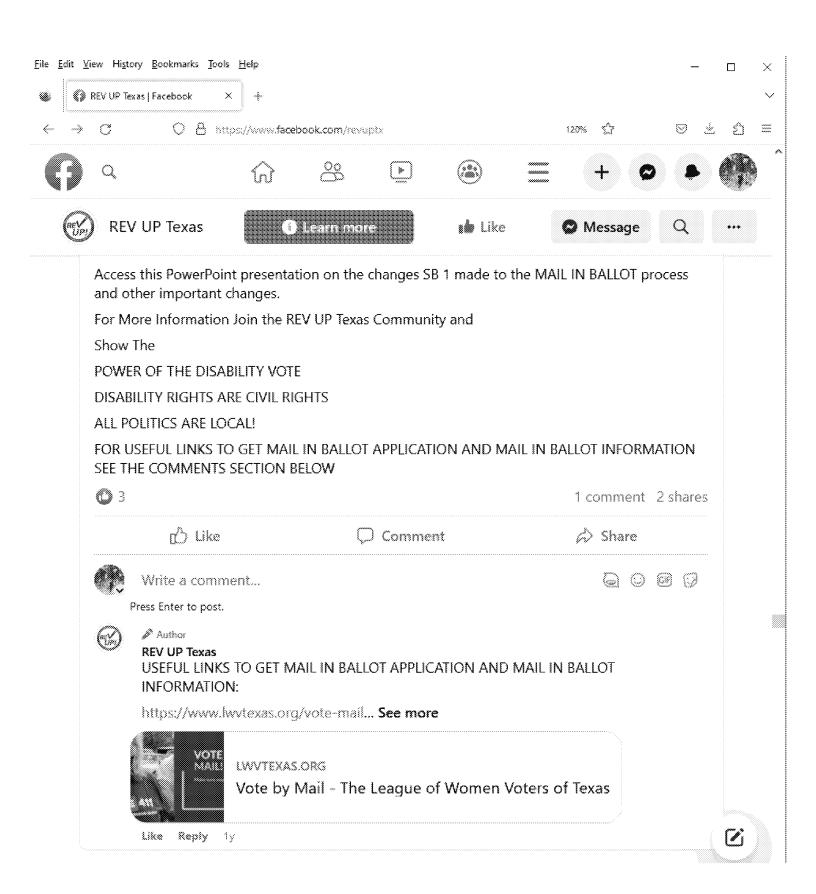
Don't Mourn Organize and REV UP

Mail-In Ballot Information and Important Voting Dates

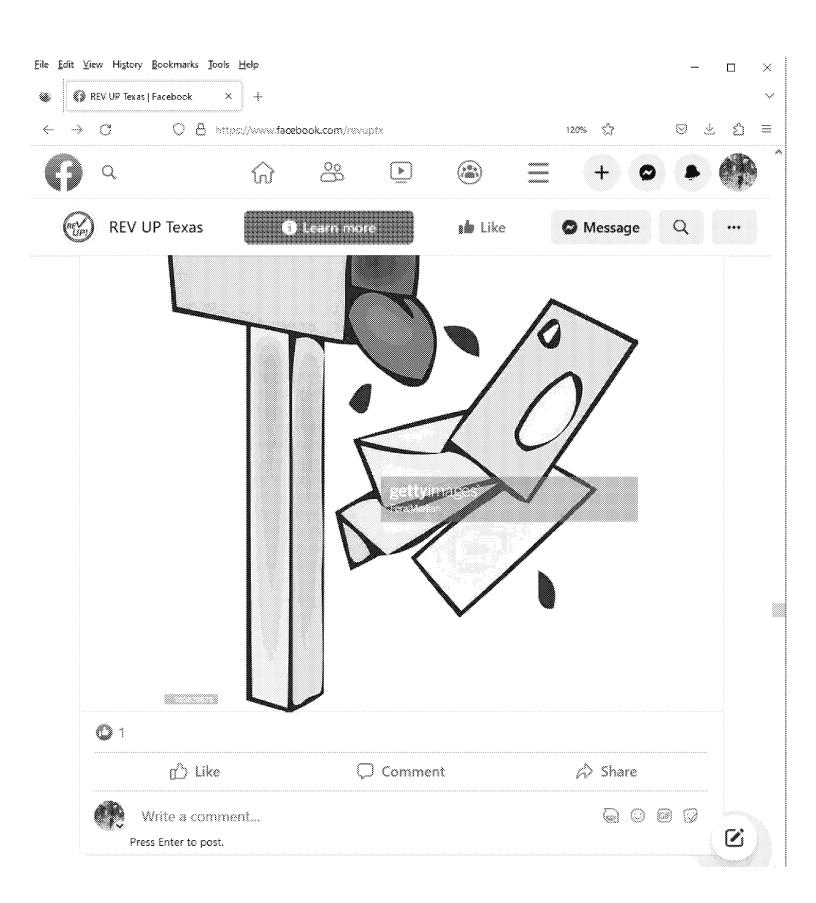
The Texas Primaries will be held on Tuesday, March 1, 2022. You must be REGISTERED by January 31, 2022 to vote in the primaries.

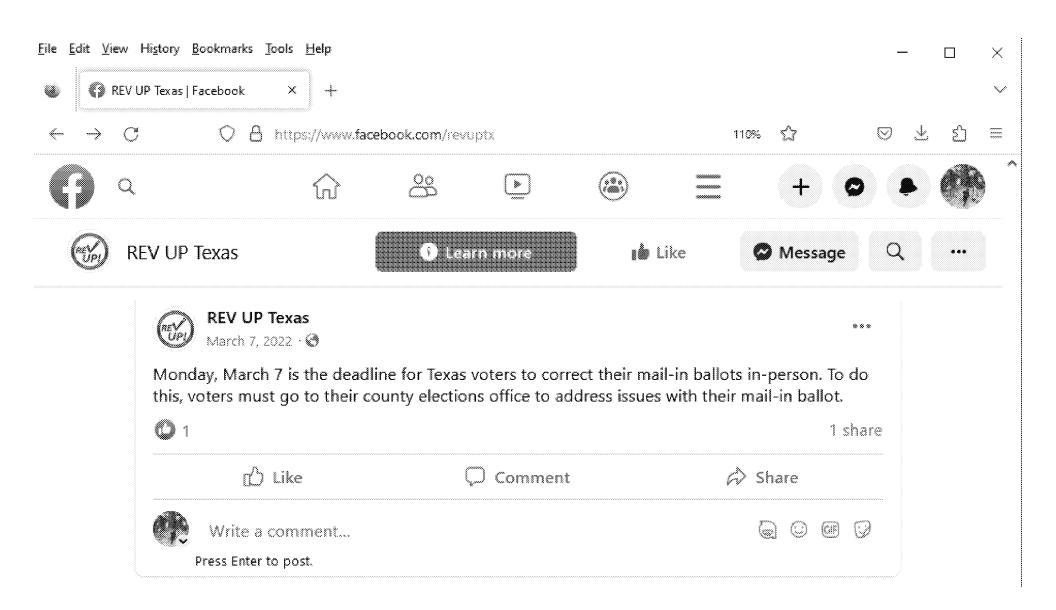
VOTE BY MAIL:

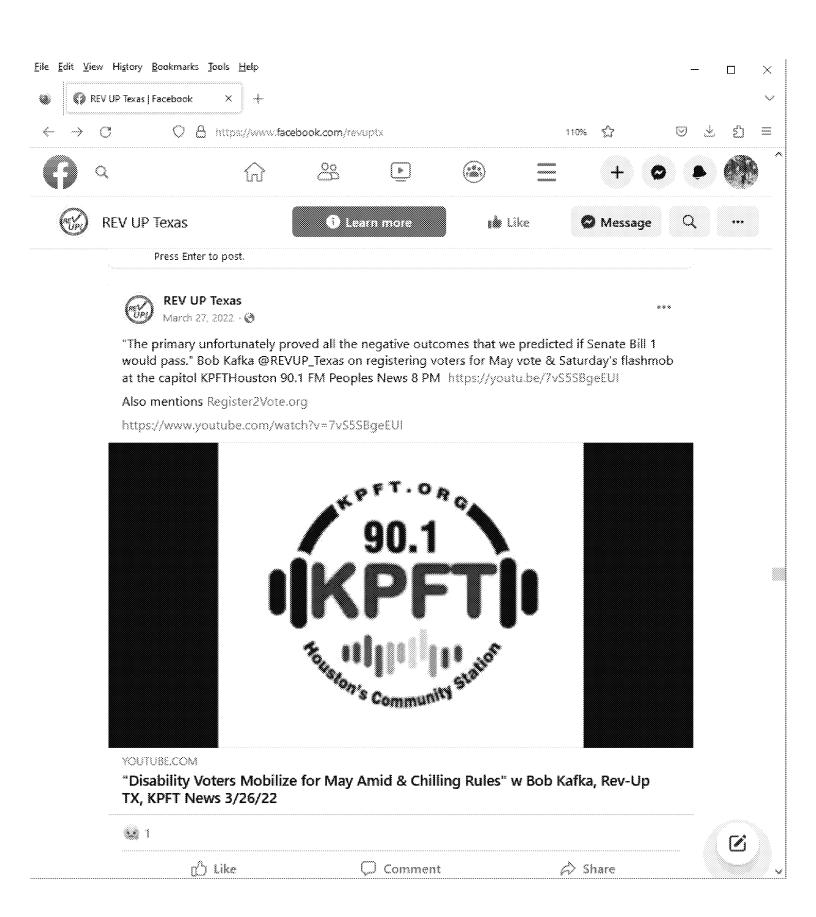












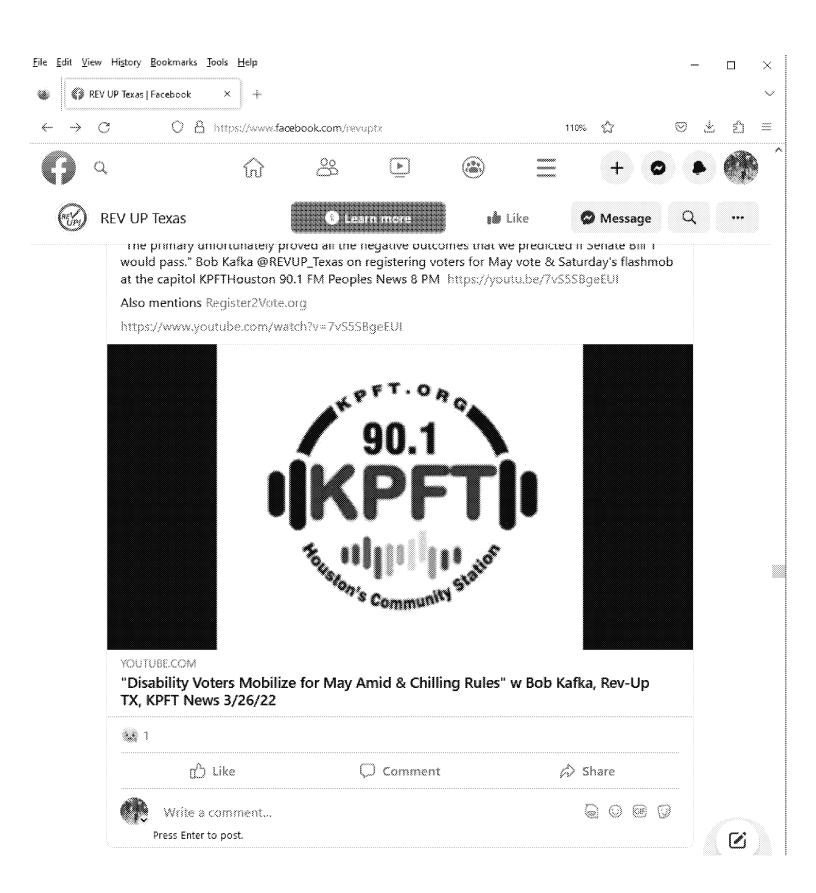
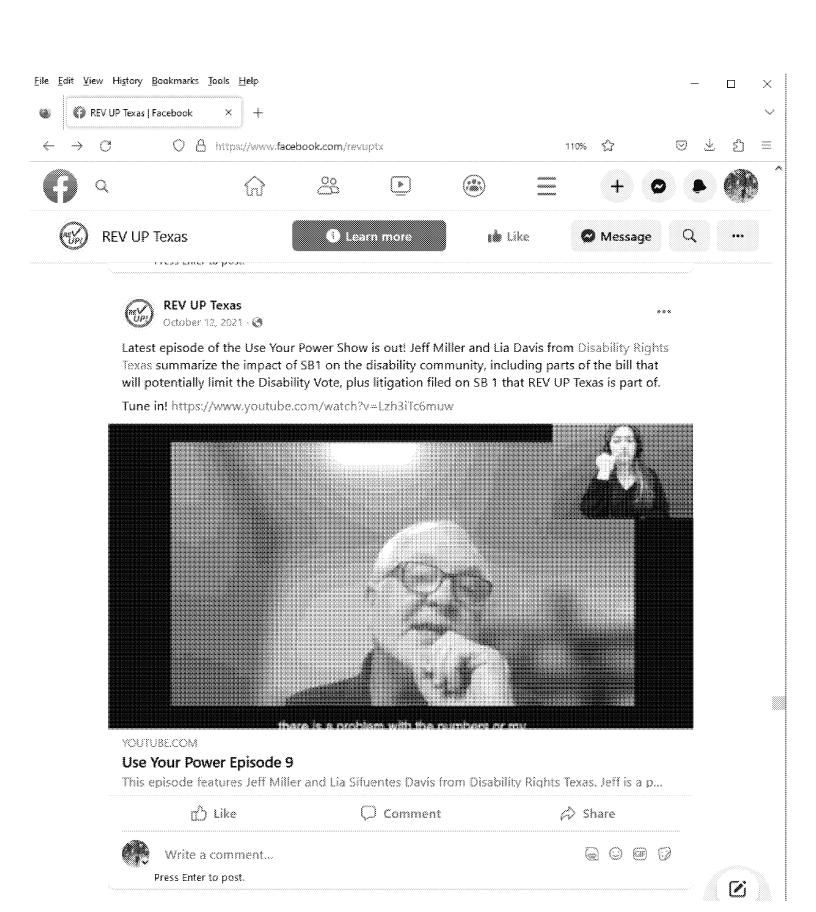
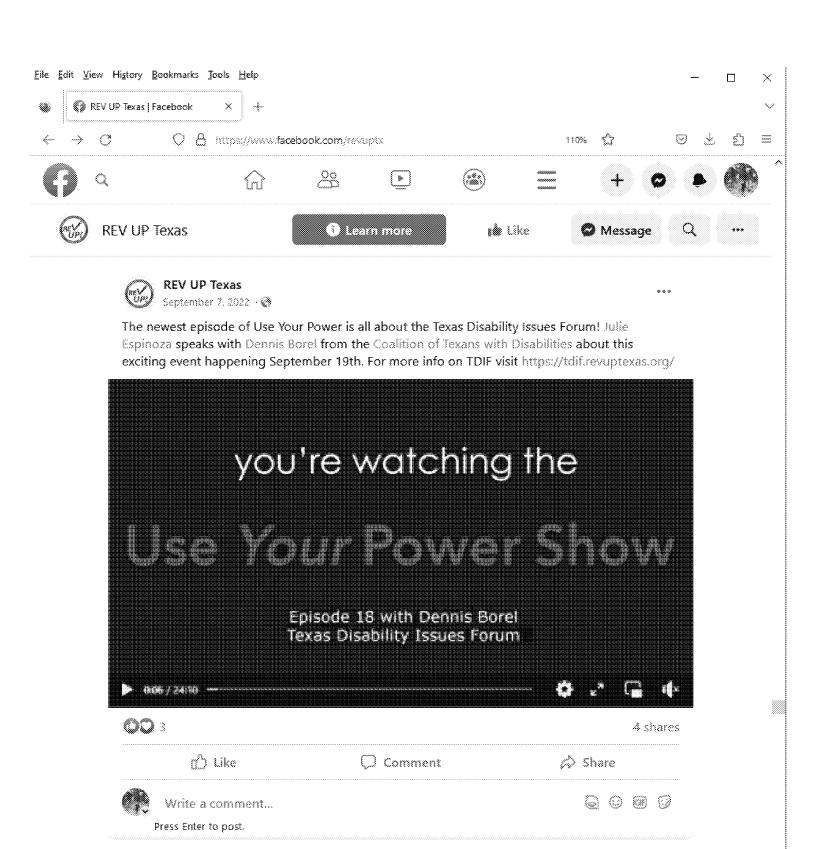
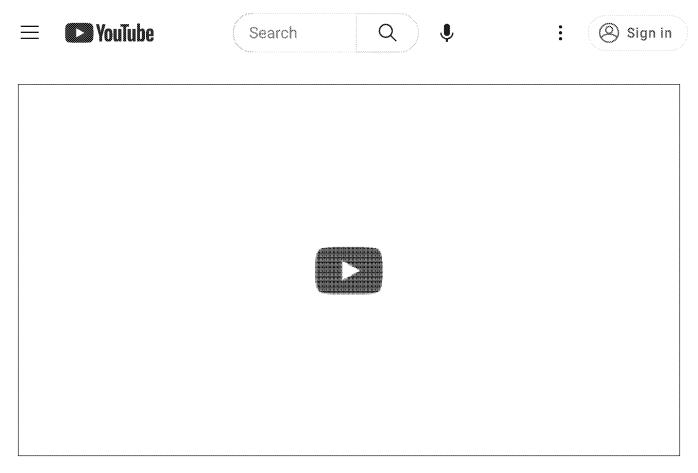


Exhibit 169







Use Your Power Episode 8 with Julie Oliver



REV UP TX Official

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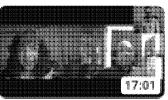
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Welcome back to Use Your Power! September 13th - 20th is National Disability Voter Registration Week and REV UP Texas is excited to bring you information about how you can register to vote and help others in your community to register. In this episode, we hear from the amazin Show more



Use Your Power Episode 9 Texas SB1

REV UP TX Official 73 views • 1 year ago



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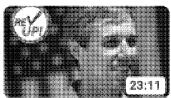






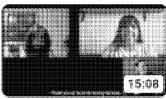


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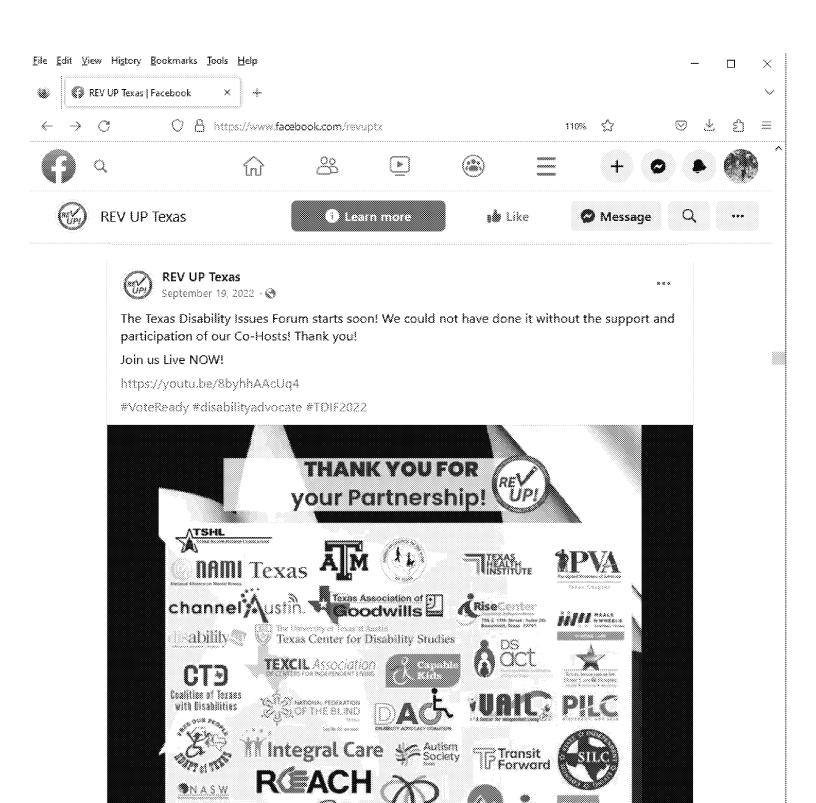
Learning a language? Speak it like you're playing a video game | Marianna Pascal | TEDxPenangRoad

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Arts-Based Research and Fiction: the Astonishing Sequel with Susan Rowland and Patricia Leavy

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The Arc

Disabi

Disability Studies Minor

S.A.L.S.A

4

ABBUTY

Exhibit 170

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

Bill To						
REV UP TEXAS						
1100 South IH 35						
Austin, TX 78704						
ATTN: Bob Kafka						

TAX ID# 46-1814240/ TX Vendor I 1-461814240-1001					
Invoice Date	Invoice #				
1/26/22	220126REV				

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Client	t-Acct/Case/File #	Interpr	eter	Hours	Rate P/H	Total
12/15/21	VRI DAY1	Service Detai Disabilities ar	arious Deaf bb Kafka email 12/13/21 ls: Tips for Voters with ad Voters over 65 - Impact of Laws - ON CAMERA	S. MITCHU	SSON	2	73.00	146.00
Invoices NC			f receipt will incur a \$50 prompt payment.	late fee.	TO ⁻	TAL DU	E NOW:	\$146.00
Phone #	co	NTACT	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19		Mott Merritt, CEO	Delia@cbhand.co	om	Ва	lance	Due	\$146.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240/ TX Vendor I 1461814240100				
Invoice Date	Invoice #			
12/28/21	211228REV			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
11/11/21	VRI DAY1	11/101/21 Service Detai	arious Deaf essa Goodnight email ls: User Your Power video ON CAMERA	A. SESSION	IS	2	73.00	146.00
11/20/21 11/20/21	VRI WKEND3 Last Minute	Consumer: V Convenience Requester: To Service Detai with Kenneth ACBT about	arious Deaf fee for last minute request essa Goodnight email 11/19/21 lls: REV UP video interview a Semien from CTD and the issues affecting the blind specially surrounding voting.	A. SESSION	18	2	103.00 50.00	206.00 50.00
11/23/21	VRI DAY1	Consumer: N Interview Requester: Be Service Detai TX Associati	orma Castillo: Podcast bb Kafka email 11/22/21 lls: Podcast interview - Role of on of the Deaf and their	R. TROTTE	R	2	73.00	146.00
11/30/21 11/30/21 11/30/21	VRI DAY1 VRI DAY1 Last Minute	Requester: Be	arious Deaf arious Deaf fee for last minute request ob Kafka email 11/29/21 ls: TDIF Planning meeting-	R. BROWN E. REVELE		2.5 2.5 1	73.00 73.00 50.00	182.50 182.50 50.00
Invoices NC	•		f receipt will incur a \$50 prompt payment.	late fee.	TO	TAL DU	E NOW:	\$963.00
Phone #		Fax #	E-mail	_	Pay	/ments/	Credits	\$0.00
512-467-1	917 512-	419-1061	Delia@cbhand.co	om	Ba	lance	Due	\$963.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

Bill To						
REV UP TEXAS						
1100 South IH 35						
Austin, TX 78704						
ATTN: Bob Kafka						

40/ TX Vendor ID 240100
Invoice #
211106REV

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/leve	el Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
9/13/21 9/13/21	VRI DAY1 VRI DAY1	Service Deta		S. MILLER B. TROTTE		2.5 2.5	73.00 73.00	182.50 182.50
9/6/21 9/6/21	VRI HOL1 VRI HOL1	Consumer: V Consumer: V Requester: B Service Deta	arious Deaf	L. GARFIA E. REVELE		2.5	113.00 113.00	282.50 226.00
9/8/21	DAY 1	Consumer: V Requester: To 9/7/21 Service Deta	Tarious Deaf essa Goodnight via email ils: REV UP Texas video that nterpreted ON CAMERA	B. TROTTE	ER.	2	73.00	146.00
Invoices NC			of receipt will incur a \$50 prompt payment.) late fee.	то	TAL DU	E NOW:	\$1,019.50
Phone #	•	Fax#	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	917 51	2-419-1061	Delia@cbhand.co	om	Ва	lance	Due	\$1,019.50

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

Bill To						
REV UP TEXAS						
1100 South IH 35						
Austin, TX 78704						
ATTN: Bob Kafka						

TAX ID# 46-1814240				
Invoice Date	Invoice #			
6/25/21	210625rev			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

į į	P	Ŧ	na taka supera angantas tari					255 14 -2
Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
5/5/21	VRI DAY1	Service Detai	farious Deaf essa Goodnight email 5/4/21 ils: Video to be interpreted ower" - ON-CAMERA	R. TROTTE		2	73.00	146.00
5/19/21	VRI DAY1	Consumer: V Requester: To 5/18/21 Service Detail		R. TROTTE	R	2	73.00	146.00
Invoices NC			of receipt will incur a \$50 prompt payment.) late fee.	то	TAL DU	E NOW:	\$292.00
Phone #	•	Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-1	917 512-	419-1061	billing@cbhand.c	om	Ва	lance	Due	\$292.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240				
Invoice Date	Invoice #			
5/27/21	210527REV			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
4/7/21 4/7/21 4/7/21	DAY 1 EVENING 1 Last Minute	1		R. TROTTE R. TROTTE		1.5 0.5 1	69.00 103.00 50.00	103.50 51.50 50.00
4/8/21 4/8/21	EVENING 1 Last Minute	Service Detail CAMERA Consumer: V Convenience	essa Goodnight email 4/7/21 ils: REV UP web show - ON farious Deaf fee for last LMR minute	R. TROTTE	ER	2 1	103.00 50.00	206.00 50.00
4/22/23	WINDAWI	Service Detail CAMERA	essa Goodnight email 4/8/21 ils: REV UP web show- ON	D. TDOTTI			73.00	14600
4/22/21 4/22/21	VRI DAY1 Last Minute	request Requester: To	fee for last LMR minute essa Goodnight email 4/22/21 ells: REV UP video - ON	R. TROTTE	K	1	73.00 50.00	146.00 50.00
4/25/21 4/25/21	WKENDS 1 WKENDS 1	Service Detail The League of	arious Deaf ob Kafka email 4/23/21 ils: Fight Voter Suppression! of Women Voters TX presents: egislature, Don't Suppress Our	A. NEWBE R. TROTTE		3.5 3.5	103.00 103.00	360.50 360.50
Invoices NC			f receipt will incur a \$50 prompt payment.	late fee.	то	TAL DU	E NOW:	\$1,378.00
Phone #	•	Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	917 512	419-1061	terp@cbhand.co	m	Ва	lance	Due	\$1,378.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240			
Invoice Date	Invoice #		
4/26/21	210426REV		

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
3/9/21	VRI DAY1	Consumer: V	arious Deaf	L. FORLENZA DRICKS	-HEN	3	73.00	219.00
3/9/21	VRI DAY1	Consumer: V	arious Deaf	J. STOKER		3	73.00	219.00
3/9/21	Last Minute	request Requester: Be Service Detail	fee for last LMR minute ob Kafka email 3/9/21 ils: USE YOUR POWER! ON CAMERA			1	50.00	50.00
3/11/21	VRI DAY1	Consumer: V		S. MILLER		2	73.00	146.00
3/11/21	Last Minute	request Requester: To	fee for last LMR minute essa Goodnight email 3/11/21 ils: Zoom recording of video - A			1	50.00	50.00
3/25/21	VRI DAY1	Service Detai	arious Deaf essa Goodnight email 3/24/21 els: REV UP web show that atterpreted for a recording - ON	S. MILLER		2	73.00	146.00
Invoices NC			f receipt will incur a \$50 prompt payment.	late fee.	TO	TAL DU	E NOW:	\$830.00
Phone #		Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-1	917 512-	419-1061	terp@cbhand.co	m	Ва	lance	Due	\$830.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240				
Invoice Date	Invoice #			
3/27/21	210327REV			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File #	Interpr	eter	Hours	Rate P/H	Total
2/26/21 2/26/21	VRI DAY1 Last Minute	request Requester: Bo 2/25/21	fee for last LMR minute ob (Kafka) Adapt email ls: Use Your Power Show -	A. NEWBEI	RRY	2.5	73.00 50.00	182.50 50.00
Invoices NC			f receipt will incur a \$50 prompt payment.	late fee.	TO ⁻	TAL DU	E NOW:	\$232.50
Phone #		Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	917 512-	419-1061	terp@cbhand.co	m	Ва	lance	Due	\$232.50

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

Bill To	
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240/ TX Vendor II 1461814240100					
Invoice Date	Invoice #				
12/6/21	211130REV				

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
10/8/21	VRI DAY1 VRI DAY1	Consumer: V Requester: Te Service Detai needs to be in mins video) (Consumer: V Requester: Te Service Detai	arious Deaf essa Goodnight email 10/7/21 ls: REV UP web show that atterpreted for a recording (27 DN CAMERA arious Deaf essa Goodnight email 10/19/21 ls: REV UP web show that atterpreted for a recording (13	A. BAESEM	IAN	2	73.00 73.00	146.00
Invoices NO	•		f receipt will incur a \$50	late fee.	TO.	TAL DU	E NOW:	\$292.00
	Thank yo	ou for your	prompt payment.					Ψ202.00
Phone #		Fax #	E-mail		Pay	ments/	Credits	\$0.00
512-467-19	917 512-	419-1061	Delia@cbhand.co	m	Ва	lance	Due	\$292.00

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Invoice for Interpreting Services

Bill To	
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240/ TX Vendor ID 1-461814240-1001					
Invoice Date	Invoice #				
1/26/22	220126REV				

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/leve	I Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
12/15/21	VRI DAY1	Service Deta Disabilities a	Tarious Deaf ob Kafka email 12/13/21 ils: Tips for Voters with nd Voters over 65 - Impact of n Laws - ON CAMERA	S. MITCHU	SSON	2	73.00	146.00
Invoices NO			of receipt will incur a \$50 prompt payment.	late fee.	TO ⁻	TAL DU	E NOW:	\$146.00
Phone #		CONTACT	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	917 Deli	a Mott Merritt, CEO	Delia@cbhand.co	om	Ва	lance	Due	\$146.00

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Invoice for Interpreting Services

Bill	Го
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-18142 1-4618142	
Invoice Date	Invoice #
1/26/22	220126REV

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Client	t-Acct/Case/File #	Interpr	eter	Hours	Rate P/H	Total
12/15/21	VRI DAY1	Service Detai Disabilities ar	arious Deaf bb Kafka email 12/13/21 ls: Tips for Voters with ad Voters over 65 - Impact of Laws - ON CAMERA	S. MITCHU	SSON	2	73.00	146.00
Invoices NC			f receipt will incur a \$50 prompt payment.	late fee.	TO ⁻	TAL DU	E NOW:	\$146.00
Phone #	co	NTACT	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19		Mott Merritt, CEO	Delia@cbhand.co	om	Ва	lance	Due	\$146.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240/ TX Vendor ID 1461814240100				
Invoice Date	Invoice #			
11/6/21	211106REV			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
9/13/21 9/13/21	VRI DAY1 VRI DAY1	Service Deta	arious Deaf ob Kafka email 9/2/21 ils: GOOD MORNING REV	S. MILLER B. TROTTE	R	2.5 2.5	73.00 73.00	182.50 182.50
9/6/21 9/6/21	VRI HOL1 VRI HOL1	Consumer: V Consumer: V Requester: B Service Detail		L. GARFIA E. REVELE		2.5	113.00 113.00	282.50 226.00
9/8/21	DAY 1	Consumer: V Requester: To 9/7/21 Service Detail	Tarious Deaf essa Goodnight via email ils: REV UP Texas video that nterpreted ON CAMERA	B. TROTTE	R	2	73.00	146.00
Invoices NC			of receipt will incur a \$50 prompt payment.	late fee.	то	TAL DU	E NOW:	\$1,019.50
Phone #		Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	917 512	419-1061	Delia@cbhand.co	om	Balance Due			\$1,019.50

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

Bill To	
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240				
Invoice Date	Invoice #			
6/25/21	210625rev			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/leve	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
5/5/21 5/19/21	VRI DAY1 VRI DAY1	Consumer: V Requester: To Service Deta "Use your Po Consumer: V Requester: To 5/18/21 Service Deta	rarious Deaf essa Goodnight email 5/4/21 ils: Video to be interpreted ower" - ON-CAMERA	R. TROTTE	R	2 2	73.00 73.00	146.00
Invoices NC			of receipt will incur a \$50 prompt payment.	late fee.	то	TAL DU	E NOW:	\$292.00
Phone #		Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	917 512	-419-1061	billing@cbhand.co	om	Ва	lance	Due	\$292.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240/ TX Vendor II 1461814240100					
Invoice Date	Invoice #				
12/28/21	211228REV				

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
11/11/21	VRI DAY1	11/101/21 Service Detai	arious Deaf essa Goodnight email ls: User Your Power video ON CAMERA	A. SESSION	NS	2	73.00	146.00
11/20/21 11/20/21	VRI WKEND3 Last Minute	Consumer: V Convenience Requester: To Service Detai with Kenneth ACBT about	arious Deaf fee for last minute request essa Goodnight email 11/19/21 lls: REV UP video interview a Semien from CTD and the issues affecting the blind specially surrounding voting.	A. SESSION	NS .	2	103.00 50.00	206.00 50.00
11/23/21	VRI DAY1	Consumer: N Interview Requester: Be Service Detai TX Associati	orma Castillo: Podcast bb Kafka email 11/22/21 lls: Podcast interview - Role of on of the Deaf and their	R. TROTTE	R	2	73.00	146.00
11/30/21 11/30/21 11/30/21	VRI DAY1 VRI DAY1 Last Minute	Requester: Be	arious Deaf arious Deaf fee for last minute request ob Kafka email 11/29/21 ls: TDIF Planning meeting-	R. BROWN E. REVELE		2.5 2.5 1	73.00 73.00 50.00	182.50 182.50 50.00
Invoices NC	•		f receipt will incur a \$50 prompt payment.	late fee.	TO	TAL DU	E NOW:	\$963.00
Phone #		Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-1	917 512-	419-1061	Delia@cbhand.co	om	Ва	lance	Due	\$963.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240				
Invoice Date	Invoice #			
4/26/21	210426REV			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
3/9/21	VRI DAY1	Consumer: V	arious Deaf	L. FORLENZA DRICKS	A-HEN	3	73.00	219.00
3/9/21	VRI DAY1	Consumer: V	arious Deaf	J. STOKER		3	73.00	219.00
3/9/21	Last Minute	request Requester: Be Service Detail	fee for last LMR minute bb Kafka email 3/9/21 lls: USE YOUR POWER! DN CAMERA			1	50.00	50.00
3/11/21	VRI DAY1	Consumer: V	arious Deaf	S. MILLER		2	73.00	146.00
3/11/21	Last Minute	request Requester: To	fee for last LMR minute essa Goodnight email 3/11/21 lls: Zoom recording of video - A			1	50.00	50.00
3/25/21	VRI DAY1	Service Detai	arious Deaf essa Goodnight email 3/24/21 els: REV UP web show that aterpreted for a recording - ON	S. MILLER		2	73.00	146.00
Invoices NC			f receipt will incur a \$50 prompt payment.	late fee.	то	TAL DU	E NOW:	\$830.00
Phone #		Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	917 512-	419-1061	terp@cbhand.co	m	Ва	lance	Due	\$830.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240				
Invoice Date	Invoice #			
3/27/21	210327REV			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File #	Interpr	eter	Hours	Rate P/H	Total
2/26/21 2/26/21	VRI DAY1 Last Minute	request Requester: Bo 2/25/21	fee for last LMR minute ob (Kafka) Adapt email ls: Use Your Power Show -	A. NEWBEI	RRY	2.5	73.00 50.00	182.50 50.00
Invoices NC	Invoices NOT paid within 30 days of receipt will incur a \$50 late for the state of					TAL DU	E NOW:	\$232.50
Phone #		Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	917 512-	419-1061	terp@cbhand.co	m	Ва	lance	Due	\$232.50

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-1814240/ TX Vendor II 1461814240100				
Invoice Date	Invoice #			
9/29/21	210929REV			

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

Service date	Rate/level	Clien	t-Acct/Case/File #	Interpr	eter	Hours	Rate P/H	Total
8/13/21 8/13/21	VRI DAY1 VRI DAY1		arious Deaf ob Kafka email 8/10/21 ls: REV UP Texas Updates	S. MILLER E. REVELE		2.5 2.5	73.00 73.00	182.50 182.50
Invoices NO	Invoices NOT paid within 30 days of receipt will incur a \$50 Thank you for your prompt payment.			late fee.	TO	TAL DU	E NOW:	\$365.00
Phone #		Fax #	E-mail		Pay	/ments/	Credits	\$0.00
512-467-19	512-	419-1061	billing@cbhand.co	om	Ва	lance	Due	\$365.00

PO Box 9064 Austin TX 78766 State of Tx HUB Certified

Invoice for Interpreting Services

	Bill To
REV UP TEXAS	
1100 South IH 35	
Austin, TX 78704	
ATTN: Bob Kafka	

TAX ID# 46-18142 1461814	
Invoice Date	Invoice #
12/6/21	211130REV

MC/VISA/AMEX accepted for payment by phone or in person. There is a 3% service fee for payment by phone.

			;					
Service date	Rate/level	Clien	t-Acct/Case/File#	Interpr	eter	Hours	Rate P/H	Total
10/8/21	VRI DAY1	Service Detaineeds to be in	Various Deaf essa Goodnight email 10/7/21 ils: REV UP web show that interpreted for a recording (27 ON CAMERA	A. BAESEN	IAN	2	73.00	146.00
10/20/21	VRI DAY1	Consumer: V Requester: To Service Detaineds to be in		A. BAESEN	IAN	2	73.00	146.00
Invoices NO	Invoices NOT paid within 30 days of receipt will incur a \$50 Thank you for your prompt payment.		late fee.	то	TAL DU	E NOW:	\$292.00	
Phone #		Fax#	E-mail	Payments/Credits \$		\$0.00		
512-467-19	917 512	-419-1061	Delia@cbhand.cc	om	Ва	lance	Due	\$292.00

Exhibit 171

Texans with disabilities CAN influence the outcome of national, state, and local elections!

More than any time in memory:

- H Elected leaders and political candidates are recognizing more than 5.4 MILLION Texans with disabilities—from birth to advanced age—as a powerful, important constituency
- H Issues important to people with disabilities must be part of the platform for any candidate running for public office.

Join thousands of Texans with disabilities in this important and historic effort!



To vote, you MUST register! Use Your Power!!



The November 3, 2020, General Election will be one of the most important elections.

The disability community—people with disabilities, family members, attendants, providers, professionals, advocates and supporters—has a major stake in the outcome of this election.

The Disability Vote! can make a difference on issues such as:

- Adequate funding and coverage for Medicaid acute and long-term services and supports.
- Waiting lists for home and community services.
- Consolidation and closure of public institutions.
- Integrated employment at no less than minimum wage.
- Accessible, affordable, integrated housing.
- Adequate funding for quality public and higher education.

- Quality Medicaid managed care with strict accountability measures.
- Recruitment and retention strategies for improved wages and benefits for community attendants.
- Implementation and enforcement of the "most integrated setting" requirements in the Americans with Disabilities Act (ADA).
- Affordable healthcare for all, including pre-existing conditions.

I Pledge to VOTE!

Name:				
Address:	City:	State	ZIP	
Email:		Phone:		

Join REV UP Texas

Together we have the power to change our communities! Add my name to get information on REV UP Texas activities I want to VOLUNTEER TIME, building the REV UP Texas: Social Media Brochure Development ListServe Outreach

I want to make the DISABILITY VOTE count! SIGN ME UP!

Name			
Organization			
Address			
City	State	Zip	
Email		Phone	
Complete the form and return b	y email to: revuptx@gmail.com		
To return by snail mail, send to: REV UP Texas Campaign 1100 S. IH-35			

Questions?

Austin, Texas 78704

Send email to revuptx@gmail.com or call 512-431-4085



Need information about when, where, and how to register and vote?

REV UP Texas recommends the following resources to find what you need. Need more help? Call (512) 431-4085 or send email to revuptx@gmail.com.

Texas Secretary of State's Office

- —Toll-free phone: (800) 252-VOTE (8683)
- -Email: elections@sos.state.tx.us
- —Website: www.votetexas.gov
- —Voter registration info: <u>www.votetexas.gov/register-to-vote</u>
- —Special needs info: www.votetexas.gov/voters-with-special-needs
- —County-by-county voter registration info:

www.sos.state.tx.us/elections/voter/votregduties.shtml#T

-Mail-in ballot Info: www.sos.state.tx.us/elections/voter/reqabbm.shtml

Texas Department of Public Safety

- Election Identification Certificates info: txdps.state.tx.us/DriverLicense/electionID.htm
- General information: (512) 424-2000
- Driver's license: (512) 424-2600

Disability Rights Texas Voting Resources

- —Toll-free Voting Rights Hotline: (888) 796-VOTE (8683)
- -Email: vote@drtx.org
- —Website: https://www.disabilityrightstx.org/en/category/voting/

Coalition of Texans with Disabilities

—Website: www.txdisabilities.org

League of Women Voters

—Phone: (512) 472-1100

-Website: https://my.lwv.org/texas/vote411.org

REV UP Texas

- www.revuptexas.org

Voto Latino

Website: https://votolatino.org/

Move Texas

- Website: https://movetexas.org/